WORKSHOP SESSION

CITY COUNCIIL

FEBRUARY 10, 2009

6:00 P.M.

1 – CMX PRESENTATION / MASTER PLAN

2 – ORDINANCE PROPOSAL REDEVELOPMENT / CARL TURNER

3 – HISTORIC PRESERVATION ORDINANCE / MARK AIKINS

4 – REVIEW OF REGULAR MEETING AGENDA

EXECUTIVE SESSION

1 – REDEVELOPMENT
A -PRESENTATION FOR BROADWAY GATEWAY NORTH / MICHAEL DUPONT, ESQ. / BRIAN DOWLING / CJS (DEVELOPER)

2 – LITIGATION
A - HOTEL CAMPUS

ORDINANCE

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 345-10 OF THE CITY OF LONG BRANCH COMBINED LAND USE ORDINANCES TO PROVIDE FOR AN EXCEPTION FROM COMPLIANCE WITH DESIGN GUIDELINES FOR REDEVELOPMENT PROJECTS APPROVED PRIOR TO ADOPTION OF COMPLETE DESIGN GUIDELINES

WHEREAS, the Oceanfront-Broadway Redevelopment Plan (the "Redevelopment Plan") sets forth the requirements for approval of redevelopment projects in the Oceanfront-Broadway Redevelopment Area (the "Redevelopment Area"); and

WHEREAS, the Redevelopment Plan provides for the adoption of design guidelines (the "Design Guidelines") setting forth more detailed design requirements for redevelopment projects in the Redevelopment Area; and

WHEREAS, the Redevelopment Plan requires redevelopment projects to comply with Design Guidelines in order to receive approval for such project and as a condition for designation of the redeveloper of such project; and

WHEREAS, there was a lapse of a period of time between the adoption of the Redevelopment Plan and adoption of the complete set of Design Guidelines for the Redevelopment Area; and

WHEREAS, projects could have received approval during the time period between the adoption of the Redevelopment Plan and the adoption of the complete set of Design Guidelines; and

WHEREAS, such projects would be consistent with the requirements of the Redevelopment Plan, but may not be in compliance with the Design Guidelines; and

WHEREAS, such non-compliance with the Design Guidelines would preclude the redevelopers of any such projects from receiving formal approval of the project and redeveloper designation and status; and

WHEREAS, it would be inequitable to impose the requirement of compliance with Design Guidelines upon a redeveloper of any such project who has sought and received approval for a redevelopment project consistent with the Redevelopment Plan prior to the adoption of the complete set of Design Guidelines and deny any such redeveloper the full rights and benefits of redeveloper designation and status.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Long Branch that §345-10 of the City Of Long Branch Combined Land Use Ordinances be amended to include the following new section:

J. Exceptions concerning site plan approvals within the Oceanfront-Broadway Redevelopment Zone.

Any project or proposal located within the Oceanfront-Broadway Redevelopment Zone shall be exempt from the Redevelopment Design Guideline Requirements provided that they comply with ALL of the following conditions:

1. The Project/Proposal received formal site plan approval from either the Planning Board or Zoning Board of Adjustment; and

2. The Project/Proposal received site plan approval between May 17, 1996 (date of adoption of the Oceanfront/Broadway Master Plan) and October 22, 2002 (date of adoption of the Design Guidelines); and

3. The Project/Proposal has not received formal Redevelopment Project approval from the City of Long Branch Redevelopment Agency prior to October 22, 2002; and

4. The Project/Proposal has obtained and maintained valid Zoning/Construction permits based upon the formal Site Plan Approval; and

5. The Project/Proposal is consistent with and in compliance with the Oceanfront-Broadway Redevelopment Plan and the proposed use is permitted under the Oceanfront-Broadway Redevelopment Plan.

ORDINANCE PROPOSAL

Section 345-10 "Permitted Modifications and Exceptions"

Add: Subsection J (to read as follows):

J. Exceptions concerning site plan approvals within the Oceanfront-Broadway Redevelopment Zone.

Any project or proposal located within the Oceanfront-Broadway Redevelopment Zone shall be exempt from the Redevelopment Design Guideline Requirements provided that they comply with ALL of the following conditions:

1. The Project/Proposal received formal site plan approval from either the Planning Board or Zoning Board of Adjustment;

and

2. The Project/Proposal received site plan approval between May 17, 1996 (date of adoption of the Oceanfront/Broadway Master Plan) and October 22, 2002 (date of adoption of the Design Guidelines);

and

3. The Project/Proposal has not received formal Redevelopment Project approval from the City of Long Branch Redevelopment Agency prior to October 22, 2002;

and

4. The Project/Proposal has obtained and maintained valid Zoning/Construction permits based upon the formal Site Plan Approval;

and

5. The Project/Proposal is consistent with and in compliance with the Oceanfront-Broadway Redevelopment Plan and the proposed use is permitted under the Oceanfront-Broadway Redevelopment Plan.

ADMINISTRATIVE AGENDA

CITY COUNCIL

CITY OF LONG BRANCH

FEBRUARY 10, 2009

ROLL CALL:

DAVID G. BROWN, COUNCILMAN
ANTHONY GIORDANO, COUNCILMAN
BRIAN UNGER, COUNCILMAN
DR. MARY JANE CELLI, COUNCIL VICE PRESIDENT
MICHAEL DESTEFANO, COUNCIL PRESIDENT

PLEDGE OF ALLEGIANCE

CERTIFICATION BY CLERK:

I HEREBY CERTIFY THAT THIS MEETING HAS BEEN PUBLISHED IN THE NEWSPAPER IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT AND POSTED AS REQUIRED BY LAW.

Irene A. Joline, RMC
City Clerk

READING AND APPROVAL OF PREVIOUS MINUTES:

JANUARY 27, 2009

CONSIDERATION OF ORDINANCES:
PUBLIC HEARING AND FINAL CONSIDERATION

NONE

ORDINANCES FOR INTRODUCTION:
PUBLIC HEARING SCHEDULED FOR FEBRUARY 24, 2009

#1-09 AN ORDINANCE ENTITLED "LONG BRANCH HISTORIC PRESERVATION ORDINANCE – LONG BRANCH, NJ **(TENTATIVE)**

PUBLIC PARTICIPATION:

RESOLUTIONS:

R34-09 RESOLUTION REAPPOINTING MICHAEL BOOTH AS A MEMBER OF THE LONG BRANCH SEWERAGE AUTHORITY

R35-09 RESOLUTION APPOINTING ROBERT WOZMAK AS AN ALTERNATE MEMBER TO THE LONG BRANCH URBAN ENTERPRISE ZONE BOARD

R36-09 RESOLUTION APPOINTING ESTHER COHEN AS AN ALTERNATE MEMBER TO THE LONG BRANCH URBAN ENTERPRISE ZONE BOARD

R37-09 RESOLUTION SUPPORTING THE SUBMISSION OF AN APPLICATION TO THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND AT BROADWAY ARTS CENTER (BLOCK 311, LOT 1)

R38-09 RESOLUTION SUPPORTING THE SUBMISSION OF AN APPLICATION TO THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND FOR THE BROADWAY ARTS CENTER (BLOCK 283, LOT 4 AND PORTIONS OF LOTS 2, 3, 5, 7, 12, 13, 14 AND 21)

R39-09 RESOLUTION AUTHORIZING INTERLOCAL SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF FREEHOLD

R40-09 RESOLUTION AUTHORIZING CONTRACTS FOR MUSICAL PERFORMANCES FOR SUMMER ENTERTAINMENT 2009

R41-09 RESOLUTION AUTHORIZING CONTRACTS THROUGH MONMOUTH COUNTY COOPERATIVE PURCHASING PROGRAM

R42-09 RESOLUTION AUTHORIZING PARTICIPATION OF BOROUGH OF OCEANPORT IN LONG BRANCH COMMODITY RESALE SYSTEM

R43-09 RESOLUTION TO REFUND HOMESTEAD REBATE RECEIVED BY THE CITY OF LONG BRANCH

R44-09 RESOLUTION TO REFUND OVERPAYMENT OF TAXES DUE TO A TAX COURT OF NEW JERSEY JUDGMENT

R45-09 RESOLUTION AUTHORIZING CANCELLATION OF MORTGAGE OF EHCNALB LIGHTBOURNE, 267 ROCKWELL AVENUE, LONG BRANCH, NEW JERSEY

R46-09 RESOLUTION CANCELLING MORTGAGE OF BEVERLY M. WILLIAMS, 238 VANDERVEER PLACE, LONG BRANCH, NEW JERSEY TO THE CITY OF LONG BRANCH

R47-09 RESOLUTION APPROVAL PAYMENT OF BILLS

R48-09 RESOLUTION 2009 EMERGENCY TEMPORARY APPROPRIATIONS

R49-09 RESOLUTION 2008 BUDGET APPROPRIATION RESERVE TRANSFERS

APPLICATIONS:

1. APPROVAL OF A RAFFLE LICENSE FOR THE STELLA MARIS RETREAT HOUSE

2. APPROVAL OF A RAFFLE LICENSE FOR THE ILAN HIGH SCHOOL

3. APPROVAL OF THOMAS GAVIN AS AN HONORARY MEMBER OF THE WEST END ENGINE CO. NO. 3

4. APPROVAL OF KEVAN TICE AS AN HONARARY / ACTIVE MEMBER IN THE OCEANIC FIRE ENGINE CO. NO. 1

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

ADJOURNMENT

#1-09

Historic Preservation Ordinance – Long Branch, NJ

§ 345-1. SHORT TITLE.

This chapter shall be known and may be referred to as the "Historic Preservation Ordinance of the City of Long Branch."

§ 345-2. SCOPE.

A. In adopting this chapter, it is the intention of the City Council of the City of Long Branch to designate and regulate historic sites within the City consistent with and pursuant to the Municipal Land Use Law of the State of New Jersey (N.J.S.A. 40:55D-1 *et seq.*) and as interpreted by court decisions in this State.

B. A Commission is hereby created to review the potential effect of development and permit applications on designated historic sites and to work with and advise the Planning Board and Zoning Board and individual property owners on the effect of applications coming before either Board on designated historic properties or improvements within an historic district.

C. This chapter is intended to regulate only those activities on designated sites which require a permit from a municipal officer or employee or which require an application for development to the Planning Board or Zoning Board. Nothing herein shall prevent review of other activities by the Commission, but such review is not required by the adoption of this chapter.

D. This chapter does not require or prohibit any particular architectural style; rather its purpose is to preserve the past by making the past compatible with and relevant to the present. To that end, new construction upon or near an historic site should not necessarily duplicate the exact style of the site; rather, it should be compatible with and not detract from the historic site.

E. This Chapter does not require or mandate the creation of any historic district(s).

§ 345-3. FINDINGS AND PURPOSE.

The City Council of the City of Long Branch finds and determines that the City has many historic and architecturally significant properties, together with groupings of properties of generally vernacular structures. These properties contribute visually to the character and integrity of the City and are important in assessing the historic patterns of development and the City's history. Maintaining, preserving, and rehabilitating these visual links to the past is an important function of government, not only to provide a sense of stability and continuity for future generations, but to provide impetus for the revitalization of the City's economic base and for the resulting increase in property values.

Moreover, the City's Master Plan adopted by the City Council in 1988 contained many elements related to historic preservation designations, including a list of more than sixty properties which were identified as qualifying for landmark status.

These historic preservation regulations are intended to effect and accomplish the protection, enhancement and perpetuation of especially noteworthy examples of the City's environment in order to:

A. Safeguard the heritage of Long Branch by preserving resources within the City which reflect elements of its cultural, social, economic and architectural history;

B. Encourage the continued use of historic landmarks and facilitate their appropriate use;

C. Maintain and develop an appropriate and harmonious setting for the historic and architecturally significant buildings, structures, sites or objects within the City of Long Branch;

D. Stabilize and improve property values for historically significant buildings and buildings

within the historic district, and foster civic pride in the building environment containing historic sites;

E. Promote appreciation of historic landmarks for education, pleasure and the general welfare of the local population;

F. Encourage beautification and private reinvestment in or near historic sites;

G. Manage change by preventing alteration or new construction not in keeping with the historic districts or individually designated historic properties;

H. Discourage demolition of historic resources;

I. Encourage the proper maintenance and preservation of historic settings and landscapes;

J. Encourage appropriate alteration of historic landmarks;

K. Enhance the visual and aesthetic character, diversity, continuity and interest in the City of Long Branch; and

L. Promote the conservation of historic sites and invite and encourage voluntary compliance.

§ 345-4. ESTABLISHMENT OF HISTORIC PRESERVATION ADVISORY COMMISSION; MEMBERSHIP; TERMS; VACANCIES.

A. Establishment. Pursuant to the provisions of N.J.S.A. 40:55D-1.07 *et seq.*, the City of Long Branch Historic Preservation Advisory Commission (hereafter "Commission") is hereby established and created.

B. Membership. The Commission shall consist of seven regular members, three (3) of whom shall be either Class A or Class B, and who shall serve without compensation, except that Commission members shall be reimbursed for reasonable and necessary expenses

incurred in the performance of official business within the guidelines of the budget established by the City Council, and two alternates appointed by the Mayor. The Commission shall include members from each of the following classes:

(1) Class A: a person knowledgeable in building design and construction or architectural history and who may reside outside the municipality; and

(2) Class B: a person who is knowledgeable of or with a demonstrated interest in local history and who may reside outside the municipality; and

(3) Class C: regular members who are not designated Class A or B shall be designated as Class C. Class C members shall be citizens of the municipality who shall hold no other municipal office, position or employment, except for membership on the Planning Board or the Board of Adjustment. Of the regular members, a total of at least three must be of Class A and B.

(4) Alternate members.

(a) Alternate members shall meet the qualifications of Class C members and at the time of their appointment shall be designated "Alternate Number 1" and "Alternate Number 2." Alternate members may participate in discussions of the proceedings, but may not vote except in the absence or disqualification of a regular member. In the event that a choice must be made as to which alternate member is to vote, Alternate Member Number 1 shall vote first and if a second Class C member is absent or disqualified, Alternate Member Number 2 shall vote second.

(b) No member of the Commission shall be permitted to act on any matter in which he or she has, either directly or indirectly, any personal or financial interest; and all members shall disclose to the Commission any such personal or financial interest.

C. Term; vacancies; removal. The terms of members shall be for four (4) years. The terms of the initial members appointed under this article shall be staggered, to the extent possible, evenly over the first four years after their appointment. The term of any member common to the Commission and the Planning Board shall be for the term of membership on the Planning Board; and the term of any member common to the Commission and the Zoning Board shall be for the term of membership on the Zoning Board. All members, at the expiration of their terms, may be eligible for appointment to an additional four-year term. Appointments to fill vacancies shall be only to complete the unexpired terms. Vacancies shall be filled within sixty (60) days. A member of the Commission may, after public hearing if requested, be removed by the City Council for cause.

§ 345-5. ORGANIZATION OF HISTORIC PRESERVATION ADVISORY COMMISSION.

A. Officers. Each year in the month of January, the Commission shall elect a Chairman and Vice Chairman from its members and select a secretary who may or may not be a member of the Commission or a municipal employee.

B. Staff, experts, counsel, expenses and costs.

(1) The City Council shall make provision in its annual budget and appropriate funds for the expenses of the Commission.

(2) The Commission may employ, contract for, and fix the compensation of experts and other staff and services as it shall deem necessary. The Commission shall obtain its legal counsel from the Municipal Attorney or other authorized attorney approved by the City Council at the rate of compensation determined by the governing body. Expenditures pursuant to this subsection shall not exceed, exclusive of gifts, grants or other sources of self-generated revenue, the amount appropriated by the governing body for the Commission's use and shall be in accordance with the Local Public Contracts Law.

(3) Escrow and application fee schedules, which are necessary to reimburse the

Commission for costs incurred pursuant to §345-5 B(2), shall be established and adopted via ordinance by the City Council.

C. Meetings; procedures; decisions. The Commission shall reorganize annually, each January. The Commission may adopt such administrative rules, regulations, procedures and forms for applications by formal resolution, as shall provide for the orderly conduct of its business and processing of applications, provided that such rules, regulations and procedures shall not be inconsistent with any provision of this article. A quorum shall consist of four (4) members. All Commission meetings shall be subject to the Open Public Meetings Act. To the extent practical, the procedures followed by the Commission as to public hearings, voting, etc., shall be patterned after those of a Planning Board pursuant to the Municipal Land Use Law. Decisions by the Commission shall be in writing by resolution setting forth findings of fact and conclusions of law. The Commission may follow the procedure for memorializing decisions as is permitted for Planning Boards.

§ 345-6. RESPONSIBILITIES OF HISTORIC PRESERVATION ADVISORY COMMISSION.

A. Powers and duties. The powers and duties of the Commission shall be as follows:

(1) To prepare and to maintain guidelines for the appropriate architectural designs applicable to the exterior appearance of new construction and for the renovation, alteration, enlargement or other change to the exterior of structures that are located on an historic property in the City which have been designated historic landmarks.

(2) To review all applications relative to § 345-9 and make recommendations on proposed designs.

(3) To review and make recommendations on proposed designs and other design elements (e.g., exterior materials, signs, landscaping, exterior lighting, etc.) contained in site plans for new, enlarged, or altered existing buildings designated as landmarks.

(4) To review and make recommendations on design for all plans that call for the construction of new buildings or the improvement or demolition of existing buildings, in whole or in part, that are located in or on any historic property, site or buildings located elsewhere in the City that have been designated by the City or other agency.

(5) To study and prepare reports evaluating other areas or properties in the City which, because of their recognized architectural/historical significance, would qualify as historic landmarks. Such findings and recommendations shall be presented to the Planning Board for action thereon and shall be included in the list of properties.

(6) Prepare an inventory of historic sites/landmarks of the City pursuant to criteria identified in the survey report. Thereafter, in cooperation with City professionals, determine which properties are eligible for state and national historic preservation designation and apply for such designations where applicable. For purposes of "survey" definition, the Commission adopts the following nationally accepted guidelines: National Register Bulletin 24- Guidelines for Local Surveys, "A Basis for Preservation Planning;" and National Register Bulletin 15 - "How to Apply the National Register Criteria."

(7) Make recommendations to the Planning Board on the historic preservation plan element of the Master Plan.

(8) Advise the Planning Board and City Council on the inclusion of historic landmarks in any recommended capital improvement program.

(9) Advise the Planning Board and the Board of Adjustment on applications for development.

(10) Provide written reports on the application of the zoning provisions concerning historic preservation to the administrative officer in charge of issuance of building permits.

(11) Carry out such other advisory, educational and informational functions as will promote historic preservation in the City, including serving as the City's archivists and participating in education programs dealing with preservation for schools, senior citizens and others.

(12) Assist other public bodies in aiding the public in understanding historic resources, their significance and methods of preservation.

(13) Advise the City Council on the relative merits of proposals involving public lands to restore, preserve and protect historical buildings, sites and structures, including the preparation of a long-range plan; identify and secure state, federal and other grants and aid to assist therein; and monitoring such projects once underway.

(14) Recommend to the Planning Board and the City Council the establishment and boundaries of historic sites where appropriate.

(15) Advise the Board of Adjustment as to the granting of use variances where such are deemed to be within the intent and purposes of this Article.

(16) Secure the voluntary assistance of the public and, within the limits of the budget established by the City Council for the Commission's operation, to retain consultants and experts and incur expenses to assist the Commission in its work and to provide testimony in support of the Commission's position before other bodies, commissions or courts.

(17) Co-operate with local, county, state, or national historical societies, governmental bodies and organizations to maximize their contributions to achieve the intent and purposes of this article.

(18) Recommend to the applicable county, state and federal agencies, where appropriate, recognition of historic buildings, structures, sites, objects or districts.

(19) To provide recommendations, input and advice relative to sites of historic interest to the same extent as to historic landmarks and to buildings, structures, sites and/or objects; however when an application for a construction permit relating to a site of historic interest has caused the Commission's jurisdiction to be invoked, any such recommendation, input and advice shall be purely advisory and shall have no binding effect.

(20) The Commission shall on or before January 14 of each year provide to the City Council, Municipal Clerk, Planning Board, Board of Adjustment, Construction Official and administrative officer, an updated list of landmarks and sites of historic interest. Throughout the year, the Commission shall update such lists as designations change.

B. Compatibility with other agencies.

(1) The responsibilities, powers and duties of the Commission shall not conflict with or supersede the powers and duties of any other board or agency within the City of Long Branch.

(2) The Planning Board and Board of Adjustment shall refer to the Commission every application for development submitted to either board for development in historic zoning districts or on historic sites designated on the zoning or official map or identified in any component element of the master plan. This referral shall be made when the application for development is deemed complete or is scheduled for a hearing, whichever occurs sooner. Failure to refer the application as required shall not invalidate any hearing or proceeding. The Commission may provide its advice, which shall be conveyed through delegation of one of its members or staff to testify orally at the hearing on the application for development and to explain any written report which may have been submitted.

§345-7. DEFINITIONS AND WORD USAGE.

A. Word usage. For the purpose of this article, unless the context clearly indicates a different meaning:

(1) The term "shall" indicates a mandatory requirement, and the term "may" indicates a permissive action.

(2) The word "lot" includes the words "plot" or "premises".

(3) The word "used" includes the words "intended to be used" or "arranged to be used".

(4) The word "occupied" includes the words "intended to be occupied," "designed to be occupied" or "arranged to be occupied."

(5) The word "permit" shall refer to a "Certificate of Appropriateness" permit and shall be the certificate issued by the Planning Board, Zoning Board or administrative officer after review of the certificate of appropriateness application by the Commission. This certificate is required prior to undertaking rehabilitation, restoration, renovation, alteration, ordinary and nonordinary repair work or demolition work undertaken within an historic district or on an individually designated historic structure pursuant to this article.

(6) The word "demonstrate" means to provide such visual, written or oral information as will enable the Commission or other reviewing agency or board to render an informed opinion or decision thereon.

B. Definitions. As used in this article, the following terms shall have the meanings indicated:

ADDITION - The construction of a new improvement as a part of an existing improvement when such new improvement changes the exterior appearance of any landmark.

ADMINISTRATIVE OFFICER - The person designated to handle the administration of building permit applications as referenced in this article.

AFFECTING A LANDMARK OR HISTORIC DISTRICT - Any act which alters or changes an historic landmark.

ALTERATION - Any work done on any existing improvement which:

(1) Is not an addition to that improvement; or

(2) Changes the appearance of the exterior surface of any improvement.

BUILDING - A structure created to shelter human activity of any kind.

DEMOLITION - The partial or total razing or destruction of any building, structure, or of any improvement within or on a historic site or of any historic landmark.

HISTORIC DISTRICT - A geographically definable area (but not including any City designated areas in need of redevelopment) possessing a significant linkage, or continuity of sites, buildings, structures, and/or objects which when viewed collectively:

(1) Represent a significant period in the development of the City; or

(2) Have a distinctive character resulting from their architectural style; or

(3) Because of their distinctive character, can readily be viewed as an area or neighborhood distinct from surrounding portions of the City.

HISTORIC DISTRICT RESOURCES - Resources within a Historic District shall be classified either as key, contributing, or non-contributing which are defined as:

(1) KEY - Any buildings, structures, sites or objects which due to their significance would individually qualify for landmark status.

(2) CONTRIBUTING - Any buildings, structures, sites or objects which are integral components of the Historic District either because they date from a time period for which the district is significant or because they represent an architectural type, period or method for which the district is significant.

(3) NON-CONTRIBUTING - Any buildings, structures, sites or objects which are not integral components of the Historic District because they neither date from a time period for which the district is significant nor represent an architectural type, period, or method for which the district is significant.

HISTORIC PROPERTIES – Any buildings, structures, sites, objects, or districts which possess integrity of location, design, setting, materials, workmanship, or association, (but not including any of the aforegoing which are located in any City designated areas in need of redevelopment) and which have been determined pursuant to the terms of this chapter, to be:

(1) Of particular historic significance to the City of Long Branch by reflecting or exemplifying the broad cultural, political, economic or social history of the nation, state, county or community; or

(2) Associated with historic personages important in national, state, county or local history; or

(3) The site of a historic event which had a significant effect on the development of the nation, state, county, City or neighborhood; or

(4) An embodiment of the distinctive characteristics of a type, period, or method of architecture or engineering; or

(5) Representative of the work of an important building, designer, artist, engineer or architect; or

(6) Significant for containing elements of design, detail, materials, or craftsmanship which represent a significant innovation; or

(7) Able or likely to yield information important in prehistory or history.

IMPROVEMENT – Any structure or any part thereof constructed or installed upon real property by human endeavor and intended to be kept at the location of such construction or installation for a period of not less than 120 continuous days.

OBJECT – A thing of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting, environment or event.

REPAIR – Any work done on any improvement which:

(1) Is not an addition to the improvement;

(2) Does not change the exterior architectural appearance of any improvement.

REPLACEMENT – The act of process of replicating any exterior architectural feature that is used to substitute for an existing and deteriorated or extensively damaged architectural feature.

SITE – The place where a significant event or pattern of events occurred. It may be the location of prehistoric or historic occupations or activities that may be marked by physical remains; or it may be the symbolic focus of a significant event or pattern of events that may both have been actively occupied. A site may also be the location of a ruined building, structure or object if the location itself possesses historic, cultural or archaeologic significance.

SITES OF HISTORIC INTEREST – Any buildings structures, sites, objects or districts which, although not given historic landmark designation under this chapter, are an

important historical asset to the community which it is felt would benefit from the advice and input of the Commission.

STRUCTURE – Any man-made work arranged in a definite pattern of organization.

§ 345-8. DESIGNATION OF HISTORIC LANDMARKS.

A. Guidelines for designation: The Commission may recommend to the Planning Board guidelines for review to be utilized in determinations of historic landmark status, sites of historic interest status, and for review of development applications or permits affecting historic landmarks, sites of historic interest or improvements within historic districts. The Planning Board may recommend modifications of the guidelines and shall make the final decision as to their adoption.

B. Historic landmark/sites of historic interest designation list: In addition to the properties and structures already identified in The Historic Preservation Plan Element of the City's Master Plan, the Commission shall consider for historic designation buildings, structures, objects, sites, and districts within the City which merit landmark designation and protection by reason of possessing integrity of location, design, setting, materials, workmanship, or association based on its review or upon the recommendation of other City bodies or of concerned citizens, with the exception of all properties located within the existing redevelopment plan of 1996 (including all designated redevelopment sections). The Commission shall make a list of landmarks recommended for designation. For each landmark, there shall be a brief description of the landmark, of the landmark's significance pursuant to the criteria set forth above, a description of the landmark's location and boundaries, digital photograph of each property and a location map. In conjunction with the list of landmarks recommended for designation, the Commission may, at the same time, or at some later time, prepare a list of buildings, structures, objects, sites and districts which merit designation as sites of historic interest. Those properties that have state or federal designation shall comply with all requirements of this ordinance.

C. Hearing on proposed designation: A hearing shall be conducted on the proposed

designations at which interested persons shall be entitled to present their opinions, suggestions, and objections on the proposed recommendations for landmark/site of historic interest designation. To the extent that a property owner (a) appears at the hearing to indicate or (b) provides written confirmation to the Commission at or prior to the hearing, that such property owner does not agree or consent to having such property designated as an historic landmark and/or site of historic interest, then such property shall not be so designated under any circumstances pursuant to this Historic Preservation Ordinance. The Commission shall then vote on its recommendations to the Planning Board for resources to be designated as historic landmarks and/or sites of historic interest.

D. Notice of proposed designation. At least 10 days prior to the hearing provided for in Subsection C above, the Commission shall provide notice of the hearing in the following manner:

(1) By certified mail return receipt requested to each owner, that his property is being considered for historic landmark/site of historic interest designation and the reasons therefor. The notice shall advise the owner of the significance and consequences of such designation, that if so designated, his or her property would be subject to the provisions of this article; shall advise him of his opportunities and rights to challenge or contest such designation and shall set forth the time, date and location of the public hearing to be held.

(2) By publishing in an official newspaper of the municipality, a notice of the time, date and location of the hearing, a preliminary list of potential designations including a lot and block designation for same as it appears on the official City Tax Map.

E. Historic Preservation Advisory Commission report to Planning Board. After the hearing, the Commission shall prepare a concise report, including a list and map of its recommended sites, to be designated as historic landmarks/site of historic interest. Copies of the report shall be delivered to the Mayor, City Council, Planning Board and the Municipal Clerk and a notice of action published by the Commission secretary in an official newspaper of the City. The published notice shall state the Commission's recommendations and also that

final designation shall be made by the Planning Board at a public meeting specified on a date not less than 15 nor more than 45 days from the date of publication. The Planning Board shall communicate its action with respect to the Commission's recommendation to the City Council.

F. City Council's adoption of designations. The Commission shall submit the list of designated landmarks/sites of historic interest and a map to the Municipal Clerk for filing. The City Council shall then consider the designation list and map, and may approve, reject or modify same by ordinance. Once adopted, the designation list and map may be amended in the same manner in which it was adopted. Upon adoption, the designation list and map shall also be incorporated by reference into the Municipal Master Plan and the zoning provisions of this chapter.

G. Filing of certificate of designation. Copies of the list of designated landmarks and location maps as adopted shall be made public and distributed to all municipal agencies reviewing development applications and building permits. A certificate of designation shall be served by certified and regular mail upon each owner included on the list, a true copy thereof shall be filed with the Tax Collector and Tax Assessor who shall maintain a record of all historic designation on the tax rolls. No filing shall take place for sites of historic interest.

H. Reconsideration of designation. Nothing herein shall be construed as requiring the Commission to designate a structure, building, object or site an historic landmark even if all criteria, to so designate, have been satisfied. The Commission retains the discretion to designate such structure, building, object or site as a site of historic interest subject to the provisions of § 345-8(C). Thereafter, the Commission shall not be prohibited from reconsidering such designation and, after following the procedures of this § 345-8(C), re-designate a site of historic interest as an historic landmark.

§ 345-9. ACTIONS REQUIRING REVIEW BY HISTORIC PRESERVATION ADVISORY COMMISSION.

A. Applications subject to Commission review:

(1) All building permit, demolition and development applications affecting an historic landmark/site of historic interest or an exterior improvement within an historic district as designated in the Historic Preservation Plan Element of the City's Master Plan and those properties Historic Landmark pursuant to §345-8, shall be reviewed by the Commission. Such review shall be required for, but not limited to the following:

(a) Demolition, in whole or in part, of an historic property or of any improvement within an historic district.

(b) Relocation of an historic property or an improvement with an historic district.

(c) Significant, nonhistoric changes in exterior appearance by means of repainting (not in the same color or an historically certified color).

(d) Changes in exterior appearance by means of nonordinary repairs, replacement, rehabilitation, alteration or addition to any historic property or any improvement within a designated historic district.

(e) New construction taking place within a designated historic district.

(f) Changes in or additions of new signage or exterior lighting.

(g) Zoning variances affecting an historic property or any improvement within a designated historic district.

(h) Site plans or subdivisions affecting an historic property or an improvement within an historic district.

(I) Roadway widening projects. In making a recommendation on an application, the Commission shall be aware of the importance of finding a way to meet the current needs of the applicant. The Commission shall also recognize the importance of making recommendations that will be both

consistent with the purposes of this article and reasonable for the applicant to carry out. Before an applicant prepares plans, he or she may bring a tentative proposal to the Commission for informal review and comment.

(2). Any proposal for renovation, modification, addition or expansion requiring a building permit shall have plans drawn by a New Jersey licensed architect. An escrow fee shall be assessed to cover costs of review by City professionals and any portion of the procedural requirements may be waived depending on simplicity or complexity of the proposal.

(3) The following activities are not subject to this article:

(a) Changes to the interior of structures.

(b) Ordinary repairs and maintenance or the exact replacement of any existing architectural details that are otherwise permitted by law, provided that this work on an historic landmark does not alter the exterior appearance of the building.

B. Waiver; emergencies.

(1) Waiver. Applicants for building permits for existing properties, located in historic district zones, but which are noncontributing as defined herein may apply for a waiver of the requirements of review and are defined as a minor application; provided that they transmit a letter, requesting said waiver to the Commission, which includes the following information:

(a) Identification of the property by City block and lot number as shown on the current Tax Maps.

(b) Year original structures were built and years when additions (if any) were built.

(c) Photographs taken within a year of the waiver requests showing front, side and rear elevations of structures.

(d) Explanation of work to be done under requested building permit.

(e) Reasons for waiver request.

(2) Emergencies. Approval by the Commission is not required prior to immediate and emergent repair to preserve the continued habitability of the landmark and/or the health and safety of its occupants or others. Emergency repairs may be performed in accordance with City building and construction codes, without the necessity of first obtaining the Commission's review. Under such circumstances, the repairs performed shall be only such as are necessary to protect the health and safety of the occupants of the historic landmark, or others, and/or to maintain the habitability of the structure. A request for the Commission's approval shall be made as soon as possible thereafter and no further work shall be performed upon the structure until an appropriate request for approval is made and obtained. All work done under this subsection shall confirm to the criteria set forth in this article and the guidelines for review of applications as adopted by the Planning Board in accordance with this Article.

(3) Pursuant to the authority granted to a Chairman of The Historic Preservation Commission as set forth in N.J.S.A. 40:55D-111, the Chairman will be allowed to act in place of the full Commission on minor applications.

C. Referrals to Historic Preservation Advisory Commission. The Planning Board or Board of Adjustment shall refer all development applications to the Commission; and the administrative officer shall refer all building permit applications, including permit applications for new construction, demolition, alterations, additions, or replacements which affect a historic landmark, a site of historic interest or an improvement within a historic site to the Commission.

(1) Procedures for the review of development and zoning applications.

(a) For all applications presented to the Planning Board and/or Zoning Board which meet the criteria set forth in § 345-9(E), the property owner shall also submit to either Board, as appropriate, an application for review and request for issuance of a certificate of appropriateness. Such an application shall pertain solely to the proposed site review or zoning request. If building permits are required, those actions will be reviewed separately by the Commission in accordance with the procedures outlines in §345-9B2.

(b) The Planning Board or Zoning Board shall forward to the Commission a complete set of all application materials as well as the application for review and request for issuance of a certificate of appropriateness. Such referral shall be made when the application is deemed complete or is scheduled for a hearing, whichever is sooner. The Commission shall be allowed at least 14 calendar days from the day it receives a complete application to prepare its recommendations to either the Planning Board or Zoning Board regarding whether the certificate of appropriateness should be approved or denied. Said recommendations shall be in the form of a written report, which may be orally conveyed to the appropriate Board through the Commission's delegate at a hearing on the application.

(c) The Commission's recommendation shall focus on how the proposed undertaking would affect an historic property's historical or architectural significance as outlined in § 345-8. In considering the Commission's recommendations, the Planning Board or Zoning Board shall be guided by the review criteria established in § 345-9(E). The recommendation of this Commission shall not be binding upon the Planning Board or the Zoning Board.

(2) Procedures for review of building permits and alterations.

(a) Prior to undertaking any action affecting the exterior architectural appearance of an historic property or an improvement within an historic district, regardless of whether a building permit is required, the property owner shall complete and submit to the administrative officer an application for review and request for issuance of a certificate of appropriateness.

(b) An Application for a certificate of appropriateness shall be submitted on forms provided by the administrative officer. Each application submission shall include, at a minimum, the following information:

[1] Those drawings, plans, photographs, manufacturer specifications and sample materials that are required by the administrative officer and/or as may be noted in the application checklist.

[2] Detailed drawings, when required by the administrative officer, which shall be drawn at the appropriate scales and shall depict the exact work to be performed, including renderings of the exterior of any proposed new building and/or structure or any exterior alterations to existing improvements. A detailed plot plan delineating the relationship of the renderings of the proposal in relation to adjacent improvements, buildings and/or structures or surrounding lands may be required as determined by the administrative officer. Drawings shall be prepared and sealed by either a New Jersey licensed registered architect or other New Jersey licensed design professional or by the residing property owner of a single-family dwelling under his/her ownership with an accompanying affidavit of ownership, as required by P.L. 1989, Chapter 277 (commonly known as the "Building Design Services Act") or other applicable laws of the State of New Jersey.

(c) The administrative officer shall refer the application to the Commission for its recommendation. The Commission or its designee shall review the

application for technical completeness. Any application found to be incomplete shall be returned to the applicant within 10 calendar days of the receipt of the application.

(d) When an application is found to be technically complete, the Commission shall schedule a review of the application at its next regularly scheduled meeting. The applicant shall be notified of the meeting date and shall be allowed an opportunity to speak at the meeting. The Commission may recommend the denial of any application that is not properly represented at the hearing.

(e) The Commission shall report to the Planning Board within 25 calendar days after the application is deemed complete. The report shall set forth the Commission's recommendation regarding whether the certificate of appropriateness should be approved, denied or conditionally approved; and it shall explain, in writing, the reasons for its recommendation. In accordance with Subsection (f) of this section, if the application involves demolition or removal, the Commission may also recommend postponement. The Commission's recommendation shall focus on how the proposed undertaking would affect a property's historic or architectural significance pursuant to the review criteria set forth in § 345-9(E). The Commission's recommendation shall not be binding upon the Planning Board.

(f) When making its determination on the application for a certificate of appropriateness, the Planning Board should be guided by the review criteria set forth in § 345-9(E). The Planning Board should consider the Commission's recommendations with the same care it affords all expert information. The Planning Board may accept, reject or modify the Commission's recommendations. The Planning Board shall provide its report to the administrative officer for the appropriate action within 45 days of his or her referral of the application to the Commission. Failure to report

within the forty-five-day period shall be deemed to constitute a report in favor of the application for a certificate of appropriateness, without conditions. The administrative officer is bound by the Planning Board's decision.

(g) Approval, denial or postponement.

[1] The Planning Board, upon affirmative vote of a majority of the membership, may approve, deny or postpone demolition of an historic property ancillary to a development application for up to one year. The Planning Board and the Commission may utilize this time period to consult with the New Jersey State Historic Preservation Office, the Monmouth County Historical Commission or other similarly qualified organizations to ascertain how the City may preserve the structure, when demolition or moving thereof would be a great loss to the City. The Planning Board may request that the City Council initiate such actions as may lead to the preservation of the premises within the one-year hiatus. In its review of an application to demolish a site pursuant to this section, the Commission may require the applicant to prepare a financial analysis which may include any or all of the following:

[a] Amount paid for the property, date of purchase and party from whom purchased, including a description of the relationship, whether business or familial, if any, between the owner and the person from whom the property was purchased.

[b] Assessed value of the land and improvements thereon according to the most recent assessment.

[c] For depreciable properties, a pro forma financial statement prepared by an accountant or broker of record.

[d] All appraisals obtained by the owner in connection with his purchase or financing of the property, or during his ownership of the property.

[e] Bona fide offers of the property for sale or rent, price asked and offers received, if any.

[f] Any consideration by the owner as to profitable, adaptive uses for the property.

[2] The Commission shall study the question of economic hardship for the applicant and shall determine whether the site or the property in the historic district can be put to beneficial use without the approval of the demolition application. In the case of an income-producing building, the Commission shall also determine whether the applicant can obtain a reasonable return from his existing building. The Commission may ask applicants for additional information to be used in making these determinations.

(3) Applications involving historic landmark.

(a) The Commission shall determine if an application is complete. If incomplete, it shall be returned within 30 days. When complete, the Commission shall schedule a review at its next regular meeting and the applicant shall be notified and given an opportunity to be heard.

(b) The Commission shall provide written advice and recommendation to the Planning Board or Board of Adjustment or, in the case of the permit application through the administrative officer, except otherwise provided by

§ 345-9B(2), shall direct such officer to approve, deny or conditionally approve the application. Such determinations by the Commission shall be made within 45 days of the Commission's determination that the application is complete, unless such time is extended by consent of the applicant and is in the form of a written consent from the applicant and received by the Commission.

(c) On any application involving demolition or removal of any kind, except otherwise provided by § 345-9B(2), the Commission's recommendation shall specify whether the permit is to be denied or postponed. If postponement is ordered, the Commission shall work with the applicant during this interim period to investigate and consider alternatives to demolition or removal.

(4) Applications involving sites of historic interest.

(a) If such applications are for other than a building permit, each shall be processed in the same manner as under Subsection C above. If such applications are for a building permit, the Commission shall review the application submitted to the Construction Official and if the Commission deems it desirable based on the application filed, may request a meeting with the applicant to discuss the extent of the work planned and provide suggestions to accommodate the desires of the applicant while at the same time attempting to protect the historical significance of the site of historic interest. Such recommendations shall be purely advisory and shall offer any technical assistance as non-binding discussions during its regularly scheduled meeting and shall have no binding effect, however, the Construction Official shall await the report of the Commission for a period of 45 days after referral to the Commission. If no report is received within the forty-five day period, the Construction Official may, if all other requirements therefore are met, issue the requested permit.

(b) In the co-operative effort outlined above, the Commission shall explore the

availability of public or private funds to assist the property owner with any increased costs which may accompany following the Commission's recommendations. If such funds are provided by the City through any established grant or assistance program, it shall be required that, as a condition to receipt of such funds, the property owner shall record restrictions, in the County Clerk's office, subjecting the property to historic landmark designation to the same extent as though the procedure set forth in § 345-8D was followed and the certificate reference in § 345-8G, was filed.

D. Submission requirements. An original and two copies of each of the following shall be submitted to the Secretary of the Commission:

(1) Applicable application form, if any, as adopted by the Commission.

(2) Plans and specifications as accepted by the Building Department.

(3) Detailed information shall be provided on the construction material, color, design and any of the following or other elements of the proposal to provide clear and comprehensive information for the Commission in its determination of the complexity of the proposal:

(a) Roof design and surfacing;

(b) Walls/siding/pattern of shingles/and exterior painting or stain;

(c) Windows: style, relationship to each other/awnings;

(d) Doors;

(e) Ornaments or trim;

(f) Colors/materials;

(g) Railings/porches;

(h) Chimneys;

(I) Fences;

(j) Garages/carports;

(k) Signs;

(l) TV Antennas/satellite dishes;

(m) Solar energy installation;

(n) Outdoor furniture for accessory use of a principal (non-residential) use such as restaurant's outdoor eating section;

(o) Street furniture generally relative to a public or a semi-public use; or recreation equipment;

(p) Landscaping, grading and topography;

(q) For new construction, utilities shall be placed underground and site plans shall show the placement of same; statements from the relevant public utility company may be requested by the Commission.

E. Standards of review. In reviewing an application for its effect on a building, improvement or structure within an historic district or an historic property, the following criteria shall be used by the Commission, the Planning Board and the Zoning Board. The criteria set forth in Subsection (1) relate to all projects affecting an historic site or an improvement within an

historic district.

(1) If the historic landmark/site of historic interest is involved;

(a) the impact of the proposed change on its historic and architectural significance as defined in this section.

(b) Its importance to the municipality and the extent to which the historic or architectural interest would be adversely affected to the detriment of the public interest.

(c) The extent to which there would be involvement of textures and materials that would not be reproduced or could be reproduced only with great difficulty and expense.

(d) The use of any structure involved.

(e) The extent to which the proposed action would adversely affect the public's view of a landmark from a public street.

(f) If the application deals with a structure within an historic district, the impact the proposed change would have on its character and ambience and the structure's visual compatibility with the buildings, places and structures to which it would be visually related in terms of a visual compatibility factors set forth herein.

(g) In regard to applications, additional pertinent matters may be considered, but in no instance shall interior arrangement be considered.

(h) In assessing the effect of any proposed change on an application concerning any landmark, the Secretary of the U.S. Department of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating

Historic Buildings shall be utilized. Such standards and guidelines are hereby adopted by reference and copies shall be made available for inspection and/or purchase in the office of the Municipal Clerk.

(2) With respect to applications for certificates of appropriateness relating to changes in exterior appearance, new construction, alteration(s), addition(s), nonordinary repair(s), rehabilitation, replacement(s), signage or exterior lighting, excavation or ground disturbance, involving an historic property or any improvement within the historic district, the following shall be considered:

(a) The use of any building and/or structure involved;

(b) The historical or architectural value and significance of the building and/or structure and its relationship to the historic value of the surrounding area;

(c) The effectiveness of the proposal in adhering to the building and/or structure's original style or destroying or otherwise affecting the exterior texture, materials and architectural features;

(d) The overall effect that proposed work would have upon the protection, enhancement, perpetuation and the use of the property, adjoining properties and the historic district in which it is located;

(e) The general compatibility of exterior design, arrangement and materials proposed to be used and any other factor, including aesthetic, which is found to be pertinent;

(f) The practicality of performing the work with materials or workmanship of a type equivalently or similar to the historical or architectural era during which the structure, building or place was constructed;

(g) The impact of the proposed change upon archaeological resources;

(h) The general purposes of the Municipal Land Use Law set forth in N.J.S.A. 40:55D-2, including, but not limited to the following:

[1] Appropriate use or development of all lands in a manner which promotes the public health, safety, morals and general welfare;

[2] Promotion of a desirable visual environment through creative development, techniques and good civic design and arrangements;

[3] Conservation of historic sites and districts, open space, energy resources and valuable natural resources to prevent degradation of the environment through improper use of land;

[4] Encouraging coordination of the various public and private procedures and activities, shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

F. Demolitions. An application for a permit to demolish an historic landmark/site of historic interest shall be forwarded by the Construction Official to the Commission.

(1) Demolitions involving historic landmark.

(a) The Commission shall conduct a public hearing on the proposed demolition. At least 10 days before such hearing, the applicant shall give notice of the time, date, location and purpose of the hearing to the agencies listed below by certified mail, return receipt requested, and by published in an official newspaper of the municipality; and shall present an affidavit attesting to such notification prior to commencement of the hearing:

[1] Monmouth County Historical Commission

[2] Monmouth County Heritage Committee

[3] Monmouth Conservation Foundation

[4] Monmouth County Historical Association

[5] State Historic Preservation Office.

[6] State Advisory Council of Historic Preservation.

(b) The following matters shall be considered by the Commission:

[1] Its historic, architectural, cultural or scenic significance in relation to the criteria established in this section;

[2] If it is within a historic district, its significance to the district as a key, contributing, or noncontributing resource and the probably impact of its removal on the district;

[3] Its potential for use for those purposes currently permitted by the zoning provisions of this chapter;

[4] Its structural condition and the economic feasibility of alternatives to the proposal;

[5] Its importance to the City and the extent to which its historical or architectural value is such that its removal would be detrimental to the public interest;

[6] The extent to which it is of such old, unusual or uncommon design, craftsmanship, texture or material that it would not be reproduced or could be reproduced only with great difficulty and expense;

[7] The extent to which its relation would promote the general welfare by maintaining and increasing the real estate values, generating business, creating new jobs, attracting tourists, students, writers, historians, artists and artisans, attracting new residents, encouraging study and interest in American history, New Jersey history and the history of Long Branch, stimulating interest and study in architecture and design, educating citizens in American culture and heritage, or making the municipality a more attractive and desirable place in which to live;

[8] Such other matters as may appropriately affect the decision considering the specific characteristics of the property in question.

[9] The ownership, use and applicant's reason(s) for requesting demolition.

[10] Any other applicable standards of review or guidelines as defined in "The Secretary of the Intern Standards for the Treatment of Historic Prperties."

(c) Following the public hearing, the Commission shall make a decision and act on the request for the demolition permit.

(2) Demolitions involving a site of historic interest. The Commission shall conduct the procedures as outlined in Subsection F above, except as follows:

(a) The Commission shall have a period not exceeding six (6) months in order to have an opportunity to seek a viable alternative to demolition.

(b) The applicant shall not be required to notify the agencies set forth in Subsection F(1)(a) [1] through [6].

(3) Demolitions in conjunction with a development application. In those circumstances where the planned demolition is part of a development application pending before the Planning Board or Board of Adjustment, the hearing provided for in this section shall be combined as part of the development application hearing held before the reviewing board. The Commission shall be given notice of the hearing and its members or representative shall be allowed to ask questions, request information and present evidence to the reviewing board relating to the demolition. The Commission shall further be accorded the opportunity of making a recommendation to the reviewing board as to whether or not the demolition should be allowed.

G. Relocations. In regard to an application to move any historic landmark, or to move any improvement within a historic district, the application shall be forwarded by the responsible municipal official to the Commission.

(1) The Commission shall conduct a public hearing on the proposed move or relocation. At least 10 days before such hearing, the applicant shall give notice of the time, date, location and purpose of the hearing to the agencies listed below by certified mail, return receipt requested and by published notice in an official newspaper of the municipality and shall present an affidavit attesting to such notification prior to the hearing:

(a) Monmouth County Historic Commission.

(b) Monmouth County Heritage Committee.

(c) Monmouth Conservation Foundation.

(d) Monmouth County Historical Association.

(e) State Office of Historic Preservation.

(f) State Advisory Council of Historic Preservation.

(g) Monmouth County Park System.

(h) Any other local civic, social or community organization concerned with historic preservation, deemed appropriate by the Commission.

(2) The following matters shall be considered by the Commission:

(a) The historic loss to the site of original location and the historic district as a whole;

(b) The compelling reasons for not retaining the landmark or structure as its present site;

(c) The compatibility, nature and character of the current and the proposed surrounding areas as they relate to the protection of interest and values referred to in this section;

(d) The probability of significant damage to the landmark or structure itself;

(e) If it is to be moved from the City, the proximity of the proposed new location to the City, including the accessibility to the residents of the municipality and other citizens;

(f) Visual compatibility factors as set forth in this section.

(3) Following the public hearing, the Commission shall make a decision and act on the request for relocation.

(4) In those circumstances where the planned relocation is part of a development application pending before the Planning Board or Board of Adjustment, the hearing provided for in this section shall be combined as part of the development application hearing held before the reviewing board. The Commission shall be given notice of

the hearing and its members or representative shall be allowed to ask questions, request information and present evidence to the reviewing board relating to the relocation. The Commission shall further be accorded the opportunity of making a recommendation to the reviewing board as to whether or not the relocation should be allowed.

H. Advice regarding non-historic properties.

(1) The Commission also serves in an advisory capacity in the review of plans referred by the Planning Board, Zoning Board of Adjustment or City Council pertaining to the exterior appearance of structures that are not historic landmarks and not within a historic district. The purpose and intent of this additional role of the Commission is to assist other municipal boards in their review capacity, where development is proposed in close proximity to areas and/or structures of historic significance or because the owners or applicants desire to construct improvements with historic design and character. The goals of the Commission are to advise applicants on how to amend and improve designs rather than to impose individual design choices on any specific proposal.

(2) In the review of plans that have been referred to them, the Commission will generally examine the following elements for compatibility with the existing style, with existing adjoining development and appropriateness:

(a) Building height.

(b) Bulk/scale.

(c) Placement of windows, doors, roof

(d) Materials/textures and scales.

(e) Color.

(f) Signs.

(g) Fences, walls, other accessory structures on the site.

(h) Parking area layout, loading facilities.

(I) Landscaping.

(j) Driveways.

(k) Compatibility of al elements of the proposal.

(l) Any other exterior elements that would impact the surroundings.

(3) When plans are referred to the Commission by the Planning Board or Board of Adjustment, the referral should include the time schedule for the submission in order to enable the Commission to make its review and, if necessary, meet with the applicant to discuss adjustments, with the timing framework for the submission, the dates of public hearings, Planning Board or Board of Adjustment meetings, etc.

I. Removal or disturbance of objects or landmark detections devices.

(1) No person shall use any electrical, mechanical or other detection type device to disturb, remove, locate objects in or on any City owned historic landmark/site of historic interest or improvement within a historic district without giving written notice, as set forth below, to the Municipal Clerk and the Commission and receiving permission from the City Council to undertake the proposed activity.

(2) The written notice of the intent to use such a detection device shall set forth the name and address of the person giving notice as well as the names and addresses of all persons involved in the on-site use and shall set forth the date each use will occur and whether any business, club or other organization is involved.

(3) The written notice of the intent to use such a detection device shall be delivered to the Municipal Clerk and to the secretary of the Commission at least 30 days in advance of the proposed use. The Commission shall consider the request and make a recommendation to the City Council whether the request should be approved, denied or approved with conditions. The City Council shall then make the final decision and notify the applicant.

§345-10. VIOLATIONS AND PENALTIES.

A. Any person who undertakes any activity affecting a historic landmark or any improvement within a historic district which is regulated by this article, without obtaining review by the Commission shall be in violation of this article.

B. On any violation, the Zoning Officer shall personally serve a notice on the owner describing the violation and demanding abatement within 10 days; and, notifying the owner or person(s) present that they must immediately stop and cease any further activity whatsoever. Such owner or other person(s) shall immediately stop any activity.

C. The Zoning Officer may also file complaint in the City municipal court and/or seek injunction relief or restraints in any court of competent jurisdiction.

D. Each separate day a violation exists shall be deemed to be a new and separate violation.

E. Any person violating the provisions of this article shall be subject to the fine and penalty set forth in Section 1-16 of the Code of the City of Long Branch.

R# 34-09

RESOLUTION REAPPOINTING MICHAEL BOOTH AS A MEMBER OF THE LONG BRANCH SEWERAGE AUTHORITY

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby reappoint Michael Booth as a member of the Long Branch Sewerage Authority for a five year term to commence on February 1, 2009 and to expire on February 1, 2014.

MOVED:
SECOND:

AYES:
NAYES:
ABSENT:
ABSTAIN:

R# 35-09

RESOLUTION APPOINTING ROBERT WOZMAK AS AN ALTERNATE MEMBER TO THE LONG BRANCH URBAN ENTERPRISE ZONE BOARD

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby appoint Robert Wozmak as an alternate member of the Long Branch Urban Enterprise Zone Board.

MOVED:
SECOND:

AYES:
NAYES:
ABSENT:
ABSTAIN:

ROBERT F. WOZMAK, CHA

PROFESSIONAL OBJECTIVE

A senior management position in retail and residential property management, hospitality, healthcare and/or senior housing management industries, which will utilize my talents in general management, marketing, and financial management, to positively impact the profitability of leading property management company, a healthcare system, senior housing management and hospitality management company.

STRENGTHS

- Ability to lease and manage premiere commercial and residential properties to achieve high customer retention, increased rental revenue and improve the curb appeal of both commercial and residential properties.
- Strong fiscal management skills, budget development, analysis and expense control.
- Significant management experience in Commercial & Residential Property Management, Hotel & Resorts, Healthcare and Senior Housing Industries.
- Excellence in team building, leadership, strategic planning and implementing quality management programs
- Experience in both commercial residential and retail property development with proven ability to successfully work with planning boards, city officials and city zoning officers.

WORK EXPERIENCE

May 2003 – Present **APPLIED DEVELOPMENT COMPANY**

Hoboken, NJ

Vice President & General Manager **Applied Property Management**

Responsible for the management of 80 commercial and retail properties including operations, leasing, asset management, tenant customer relations, retail marketing, lease compliance and the implementation of a yield management system for all commercial properties within the Applied Property Management Company portfolio. Achievements include:

- Successful opening of Pier Village, Long Branch, a Luxury $400 million, Oceanfront, Retail and Residential Community with 549 Apartments, 125,000 square feet of Retail Stores and boutique Hotel.

- Planned and implemented the successful retail development of Pier Village including coordination with architects, engineers and the City.

- Developed a retail management system to improve profitability of the retail portfolio including rent increases, CAM and Real Estate Tax assessment recovery for the commercial real estate portfolio.

- Successfully leased commercial properties in Hoboken, NJ at the highest commercial rent, by targeting premier boutique retail tenants for theses properties.

Executive Director **The Essex and Sussex**

Spring Lake, NJ

Responsible for planning and management of the conversion from rental to condominiums at this world-class, luxury active adult community.

April 2000-April 2003 **LIFE CARE SERVICES LLC**

Executive Director **The Essex and Sussex**

Spring Lake, NJ

Yardley Commons

Voorhees, NJ

The Mayfair of Great Neck

Great Neck, NY

Responsible for the start up and successful opening of the historic Essex and Sussex a luxury 165 unit Independent Living Community. At Life Care Services my assignments included multiple communities with direct oversight of marketing, financial operations, food & beverage, plant operations, environmental services and guest services. Achievements include:

- Implementation of management systems for facilities, food & beverage, marketing and leisure services which improved resident services and departmental productivity.

- Initiated a successful residents services program by providing for the total needs of the residents including, move-in coordination, transportation, personal care services and enhanced activities.

- Increased revenue by 20 percent thru an effective direct sales and resident referral program. Managed annual revenues of $8.5 million.

- Successful fiscal management of a $3 million dollar annual budget.

November 1999 - April 2000 **CAREMATRIX - Chancellor Park, Bonita Bay**

Bonita Springs, Florida

Executive Director

Responsible for the management and operations of this 148 room Assisted and Independent Living community. Departments include marketing, food & beverage, nursing, financial and property management. Achievements include:

- Improved resident customer satisfaction by implementing a comprehensive hospitality program with intensive staff training.
- Increased revenue by 43% per month, achieved by successful target marketing, direct sales and community outreach.
- Reduced controllable expenses by implementing staffing guidelines adjusted for occupancy and management of expenses.
- Improved staff productivity by team building and leadership.
- State of Florida Certified Operator for an Assisted Living Facility.

January *1993 – November 1999* **INTRACOASTAL HEALTH SYSTEMS**

West Palm Beach, Florida

Director of Customer Services

Responsible for directing an integrated customer services department for a two hospital health care system, (Good Samaritan and St. Mary's). Achievements include:

- Implemented and manage the operations of a Physician Referral Program grossing $1.6 million annually in physician and hospital patient revenues.
- Administer customer satisfaction survey process and manage reporting to senior management and hospital boards.
- Established a system wide customer response center to address the needs of patients and quality improvement in medical center operations.
- Direct a two-campus security operation with over 100 employees. Have successfully managed incidents and reduced medical center liability.
- Manage and market a medical center based health and wellness center, which supports medical center patient, staff and community customers.
- Manage a two-campus communications department responsible for internal and external call traffic. Established a profitable and responsive Physicians Answering Service, for a 700 physician medical staff.

- Direct a system wide hospitality/guest relations program that improved patient satisfaction and increased Press Ganey customer survey scores.

- Improved staff productivity by implementing performance standards followed by team building, staff mentoring and leadership.

October 1991 – January 1993 **THE RAMADA HOTEL**

Mahwah, New Jersey

General Manager

Responsible for the management of this full service 129-room hotel with annual revenues of $2.8 million. Achievements include:

- Successful repositioning of the hotels market strategies.

- Improved hotel guests services by implementing intensive training.

- Implemented a successful marketing and yield management programs.

October 1990 – October 1991 **THE OCEAN GRAND**

"A Preferred Hotel", Palm Beach, Florida

Executive Assistant Manager and Director of Marketing

Directed the sales and marketing, conference services and rooms division departments at this Mobil Four Star/AAA Four Diamond 212 luxury room ocean front resort. Achievements include:

- Developed a strategic marketing plan to include advertising, direct marketing, package programs and public relations, which resulted in national and international market exposure.

- Achieved room's departmental profit of 80% by controlling payroll and room supply expenses.

- Implemented a room inspection program for housekeeping and engineering to improve quality control.

August 1984 – October 1990 **LOEWS GLENPOINTE**

Teaneck, New Jersey

Resident Manager

Responsible for directing major hotel operating departments including front office, housekeeping, engineering, laundry, security, guest services and transient sales at this 350 room, Mobil Four Star Hotel.

Director of Sales and Marketing

Responsible for successful market positioning and direct sales of $6 million in annual revenues.

September 1978 – August 1984 **HILTON HOTELS CORPORATION**:

PARSIPPANY HILTON, Parsippany, New Jersey

Director of Sales of a 518-room airport hotel.

LOGAN AIRPORT HILTON AND CONFERENCE CENTER, Boston Massachusetts Director of Sales of this 527-room airport hotel.

PARSIPPANY HILTON, Parsippany, New Jersey

Assistant Director of Sales for the successful pre-opening of this luxury hotel.

CAPITOL HILTON, Washington, D.C.

Sales Manager of a 900-room downtown convention hotel.

MEADOWLANDS HILTON, Seacacus, New Jersey

Convention Services Manager and Conference Sales Manager of this 303 room corporate suburban hotel.

EDUCATION

B.S. Whitmore School of Business and Economics

University of New Hampshire, Major: Hotel Administration, 1978

AHMA, Educational Institute, Certified Hotel Administrator, 1992

Certified ALF Administrator, Department of Elder Affairs, 2000

ACTIVITIES

Board of Directors, Long Branch Chamber of Commerce, Long Branch, NJ, 2008

Dale Carnegie Graduate, February 1978, Washington, D.C.

Professional Conference Management Course, September 1990

Executive Vice President, New Jersey Meeting Planners International, 1990

Board Member, New York Society of Association Executives, 1991-1992

SKAL Club, 1977-1991

Greater Washington Society of Association Executives, 1986-1990

New Jersey Society of Association Executives, 1978-1990

New Jersey Business Travel Managers Association International, 1978-1990

AWARDS

1990 Outstanding Associate Member of the Year – New York Society of Association Executives.

1990 Supplier of the Year, Meeting Planners International, New Jersey Chapter

PERSONAL

Marital Status: Married

Age: 51

Height: 5'10"

Weight: 160 lbs.

REFERENCES

References will be furnished upon request.

R# 36-09

RESOLUTION APPOINTING ESTHER COHEN AS AN ALTERNATE MEMBER TO THE LONG BRANCH URBAN ENTERPRISE ZONE BOARD

BE IT RESOLVED by the City Council of the City of Long Branch that they hereby appoint Esther Cohen as an alternate member of the Long Branch Urban Enterprise Zone Board.

MOVED:
SECOND:

AYES:
NAYES:
ABSENT:
ABSTAIN:

ESTHER L. COHEN

SMARTS INC.

- 1989 To Present
- PRESIDENT
- Sales, Marketing Advertising Reservation Tourism Service

- 1997 to Present
- MANAGING DIRECTOR
- Cedars & Beeches Bed & Breakfast

- March 1986 To June 1990 — WYNDHAM HOTELS
- VICE PRESIDENT SALES AND MARKETING

- Responsible for the market planning process for seven hotels in the Caribbean and Florida. Responsible for all aspects of the resort sales force and effort including worldwide wholesale contracting and branch offices, retail sales representation, group sales department and inventory control. Coordinated public relations and advertising efforts reflected of sales effort.

- October 1984 to March 1986 — SUNRESORTS
- SENIOR VICE PRESIDENT - SALES AND MARKETING

- Responsibilities included the marketing, market planning process for hotels in the Dutch Caribbean. Responsible for all aspects of the resort sales force and effort including worldwide wholesale contracting and branch offices, retail sales representation, group sales department and reservations department. Directed the public relations and advertising efforts reflected of sales effort. Controlled the credit and collections department.

- March 1976 To October 1984 — AMERICANA HOTELS
- GENERAL MANAGER RESORT SALES/ MARKETING

- Responsible for the marketing, market planning process for fourteen hotels in the Caribbean, Florida and Mexico. Responsible for all aspects of the resort sales force and effort including worldwide wholesale contracting and branch offices, retail sales representation, group sales department and regional sales offices and inventory control of the reservations department. Coordinated public relations and advertising efforts reflected of sales effort.

- DIRECTOR OF SALES
- ACAPULCO, MEXICO-On-site director for 3 hotels, 1200 rooms.
- ROCHESTER, N.Y.-400 room association and corporate hotel.
- MIAMI, FL.-700 room leisure and association hotel.

- To October 1984 — PLAYBOY HOTELS
- ROOMS DIVISION MANAGER

ESTHER COHEN

PRESIDENT - SMARTS INC.

- **Thirty six years travel industry experience**
  - 18 years - President of Smarts Inc.
  - 11 years senior level sales and marketing experience in the Caribbean, Florida & Mexico regions
  - 7 years on property operational and sales experience
  - Senior Vice President responsible for sales, marketing, reservations & advertising staff of Americana, Sunspots & Wyndham Hotels.

- **Sales and Marketing expertise**
  - Creation & execution of comprehensive marketing plans for all clients from opening or takeover to annual review/update.
  - Solicitation/contracting with wholesale/tour operator companies
  - Database maintenance and sales representation to leisure productive retail agencies in upper income areas.
  - All aspects of advertising and collateral - from brochure creation to cooperative advertising negotiation.
  - Public Relations campaign oversight
  - Vertical integration all aspects of marketing -- sales, public relations, advertising, collateral.

- **SMARTS INC.**
  - Emphasis on sales and marketing. Results are a result of good sales and marketing.
  - Complete service. Comprehensive marketing plans, presentation at key wholesale buying shows, signed contractual agreements between wholesalers and clients, retail agency representation through personal sales calls and trade shows
  - Select client list. SMARTS will never represent 200 clients. Client list consists of unique entities in the Caribbean and Mexico

- REFERENCES
  - Mr. Michael A. Leven, C.E.O. Georgia Aquarium, Georgia
  - Mr. Neil Catanzaro- former C.E.O. Hotel Sales & Marketing Association International-NY
  - Mr. Robert Lawrence-V.P. of Caribbean Marketing-Gogo Tours
  - Ms. Mary Sam-Vice President, BestAirPrice
  - Ms. Jonna Nelson -- V.P. Product Classic Custom Vacations
  - Federico Moreno -- V.P. Classic Vacations
  - Additional contacts are also available. If I can be of further assistance, please do let me know.

RESOLUTION NO. 37-09

Resolution Supporting the Submission of an Application to the Hazardous Discharge Site Remediation Fund at Broadway Arts Center

WHEREAS, the City of Long Branch has designated the Broadway Arts Center as an Area in need of Redevelopment; and

WHEREAS, the City of Long Branch has been advised that there is a hazardous substance within a portion of the proposed Broadway Arts Center site known as Block 311, Lot 1; and

WHEREAS, the City of Long Branch wishes to apply for funding from the Hazardous Discharge Site Remediation Fund for conducting a Preliminary Assessment, Site Investigation and Remedial Investigation on the subject property.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Long Branch, County of Monmouth, State of New Jersey that the City of Long Branch is committed to the redevelopment of the Broadway Arts Center for the purpose of constructing new facilities including a theater, structured parking, retail establishments and residential dwellings and finds that a realistic opportunity exists for the redevelopment of the Broadway Arts Center within a three year period after the completion of the remediation of this site.

RESOLUTION NO. 38-09

Resolution Supporting the Submission of an Application to the Hazardous Discharge Site Remediation Fund for the Broadway Arts Center

WHEREAS, the City of Long Branch has designated the Broadway Arts Center as an Area in need of Redevelopment; and

WHEREAS, the City of Long Branch has been advised that there is a hazardous substance within a portion of the proposed Broadway Arts Center site known as Block 283, Lot 4 and portions of Lots 2, 3, 5, 7, 12, 13, 14 and 21; and

WHEREAS, the City of Long Branch wishes to apply for funding from the Hazardous Discharge Site Remediation Fund for conducting a Preliminary Assessment, Site Investigation and Remedial Investigation on the subject property.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Long Branch, County of Monmouth, State of New Jersey that the City of Long Branch is committed to the redevelopment of the Broadway Arts Center for the purpose of constructing new facilities including a theater, structured parking, retail establishments and residential dwellings and finds that a realistic opportunity exists for the redevelopment of the Broadway Arts Center within a three year period after the completion of the remediation of this site.

R# 39-09

RESOLUTION AUTHORIZING INTERLOCAL SHARED SERVICES AGREEMENT WITH TOWNSHIP OF FREEHOLD

WHERAS, the City of Long Branch Health Department is responsible for conducting intensive investigations of reported childhood lead poisoning in the City in accordance with N.J.A.C.8:51-4 through 8, Chapter XIII of the State Sanitary Code, Childhood Lead Poisoning; and

WHEREAS, the City requires the services of a State certified Lead Inspector/Risk Assessor to aid the City's Health Officer in meeting its statutory responsibilities; and

WHEREAS, the Township of Freehold has previously provided these services, as assigned by the City Health Officer, through an Interlocal Services Agreement, and both parties are interested in entering into an agreement, annexed hereto, for the 2009 calendar year; and

Whereas, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds Form hereto attached, that funds are available for this agreement in the 2009 Temporary Budget, Department of Health, Appropriation Line Item #9-01-071-215, in an amount not to exceed $2,600.00, with continuation of the contract upon provisions of additional funds through appropriation transfer, emergency appropriation, and/or provision of adequate funds in the approved 2009 Budget.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Long Branch hereby authorizes the Mayor to enter into an Interlocal Shared Services Agreement with the Township of Freehold for the provision of a State certified Lead Inspector/Risk Assessor to perform certain environmental intervention activities, as assigned by the City Health Officer at the hourly rate of $35.15 for a sum not to exceed $2,600.00.

MOVED:
SECOND:

AYES:
NAYES:
ABSENT:
ABSTAIN:

CITY OF LONG BRANCH
OFFICE OF THE FINANCE DIRECTOR
344 BROADWAY
LONG BRANCH, NJ 07740

CERTIFICATION OF CHIEF FINANCIAL OFFICER

As the Chief Financial Officer of the City of Long Branch, I certify that funds are available for award of the following contracts/agreements:

INSPECTOR FOR LEAD POISONING PREVENTION PROGRAM

Said contract being made as follows:

TOWNSHIP OF FREEHOLD **$2,600**

Said funds being available in the form of:

2009 TEMPORARY BUDGET
DEPARTMENT OF HEALTH
OTHER EXPENSES-OUTSIDE SERVICES
APPRO. LINE ITEM #9-01-071-215 **$2,600**

Ronald J. Mehlhorn, Sr., C.P.A., R.M.A.
Finance Director, Chief Financial Officer

2/3/9
Date

AGREEMENT

This agreement, made this 1st day of January, 2009 through the 31st of December 2009 between the Township Committee of the Township of Freehold, a municipal corporation of the State of New Jersey, hereinafter referred to as "Provider,"

And the City of Long Branch, a municipal corporation of the State of New Jersey, hereinafter referred to as "Recipient."

Whereas, the parties desire to contract for the furnishing of a Lead Inspector Risk Assessor of a technical and professional nature by the provider to the recipient, pursuant to N.J.S.A. 26:3A2-1, et seq. and N.J.S.A., 40:8A-1 et seq.,

Now, therefore, in consideration of the terms and conditions hereinafter set forth, the parties agree as follows:

1. The Provider shall provide a duly licensed Registered Environmental Health Specialist who is State certified as a Lead Inspector Risk Assessor to provide environmental intervention activities pursuant to N.J.A.C. 8:51-4 through 8:51-8, Chapter XIII of State Sanitary Code, Childhood Lead Poisoning.

2. The Health Officer of the recipient shall direct and supervise all lead intervention activities and shall be the enforcement agent for its ordinances and the sanitary laws of the state.

3. The provider shall provide the services specified from January 1, 2008 through December 31, 2008 at an hourly rate of $35.15. The procedure for payments (see N.J.S.A. 40-8A-6A) is to be on township voucher quarterly.

4. Payment does not include the provision of services for public health nursing, case management or screening.

5. Either the recipient or provider may withdraw from this contract by adoption of a resolution. A certified copy of such a resolution shall be submitted to the provider or recipient at least 30 days prior to the date of intended withdrawal.

In witness whereof, the parties hereunto set their hands and seals or caused these presents to be signed by their proper officers and their corporate seals to be hereto affixed as of the day and the year first shown above.

Terry Warner	Eugene B.
CLERK, TOWNSHIP OF FREEHOLD	MAYOR, TOWNSHIP OF FREEHOLD
Terry Warner	Eugene B. Golub
CLERK, CITY OF LONG BRANCH	MAYOR, CITY OF LONG BRANCH

Health Department
344 Broadway
Long Branch, New Jersey
07740
Phone 732-571-5665 * Fax 732-222-1516

January 22, 2009

To: Irene Joline
City Clerk

Howard H. Woolley, Jr.
Business Administrator

Fm: David Roach
Health Officer

Su: Resolution & Agreement with Township of Freehold on Lead Inspector/Risk Assessor services – 2009

Please place on the Mayor and Council's agenda the attached agreement with the Township of Freehold for approval.

The necessary resolution should not exceed $2,600.

Thank you.

C Carol Mellaci
Purchasing Agent

R# 40-09

RESOLUTION AUTHORIZING CONTRACTS
FOR MUSICAL PERFORMANCES FOR SUMMER ENTERTAINMENT 2009

WHEREAS, the City of Long Branch wishes to procure the services of various bands to provide musical performances, for the West End Cruise Night and Downtown Tuesday Night on July 11, 2009 & July 21, 2009; and

WHEREAS, in accordance with NJSA 40A:11-5(1)(a)(i), the City may award a contract for professional services, including services of a creative and artistic nature, without publicly advertising for bids; and

WHEREAS, the City's Office of Community Development staff has negotiated with various bands to provide entertainment, for the Summer Concert events and it is the recommendation of the Community Development Staff that it is in the City's best interest to enter into contracts as detailed below; and

WHEREAS, all contractors awarded professional service contracts are required to comply with City Ordinance #18-05, and execution of the contract documents, annexed hereto, will serve as acknowledgement by Love Songs, Inc./Darlene Love and Jody Joseph Music, LLC/Jody Joseph Band that they comply with the Ordinance, and have not made any political contributions that would bar them from being awarded a contract with the City of Long Branch; and

WHEREAS, the Chief Financial Officer of the City of Long Branch has certified, in accordance with the Certification of Funds form attached hereto, that funds are available for this contract in the following appropriation #9-010—012-801 ($1,000.00) & #T-14-100-096 ($15,000.00) for a total sum not to exceed $16,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Long Branch that they hereby authorize the following contracts:

WEST END CAR SHOW

Love Songs, Inc. for a musical performance by Darlene Love on July 11, 2009 for an amount not to exceed $15,000.00.

DOWNTOWN TUESDAY NIGHT

Jody Joseph Music, LLC for a musical performance by Jody Joseph Band on July 21, 2009 for an amount not to exceed $1,000.00.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute any and all necessary document pursuant to said agreement.

BE IT FURTHER RESOLVED that the Finance Director is hereby authorized to take the necessary action to provide payment to the artists/agents on the night of the performance in accordance with the terms of the contracts.

MOVED:
SECONDED:

AYES:
NAYS:
ABSENT:
ABSTAIN:

CITY OF LONG BRANCH
OFFICE OF THE FINANCE DIRECTOR
344 BROADWAY
LONG BRANCH, NJ 07740

CERTIFICATION OF CHIEF FINANCIAL OFFICER

As the Chief Financial Officer of the City of Long Branch, I certify that funds are available for award of the following contracts/agreements:

CONTRACTS FOR MUSICAL ENTERTAINMENT
FOR VARIOUS SUMMER ENTERTAINMENT EVENTS

Said contract being made as follows:

LOVE SONGS, INC./DARLENE LOVE	**$15,000**
JODY JOSEPH MUSIC, LLC	**$ 1,000**

Said funds being available in the form of:

2009 BUDGET	
OFFICE OF ADMINISTRATOR	
MISC. OTHER EXPENSE	
SPECIAL EVENTS	
APPRO. #9-01-012-801	**$1,000**
TRUST BUDGET	
RECREATION TRUST ACCOUNT	
APPRO. #T-14-100-096	**$15,000**

Ronald J. Mehlhorn, Sr., C.P.A., R.M.A.
Finance Director, Chief Financial Officer

2/3/9
Date

JOD01

CITY OF LONG BRANCH

Purchase Requisition

Vendor: Jody Joseph Music LLC

Address:

State Contract #

P.O. will [ ] originate [ ] confirm order to vendor.

Purchase Order #

Date: 1/16/09

Using Dept.: Administration

Budget Appro. #: 9-01-012-801

Fixed Asset Yes____ No____

QUANTITY/UNIT	FULL DESCRIPTION OF REQUESTED PURCHASE	EST./ACTUAL UNIT PRICE	TOTAL
1	Concert - Downtown Tue Night July 21, 2009		1000.00
	By Jody Joseph Band		
		TOTAL	1000.00

Delivery Address:

Special Instructions:

I hereby certify that the articles/services requested are necessary to properly conduct the activities of this agency, and are to be used exclusively for the purpose against which said items are charged.

Department Head Signature

Date 1/22/09

RLT ENTERTAINMENT
6 Magpie Court
Jackson, NJ 08527
(609) 752-1077

ENTERTAINMENT CONTRACT

THIS CONTRACT for the services of the music and/or entertainment described below made this 21st day of January, 2009, between the undersigned THE JODY JOSEPH BAND, hereinafter referred to as "The Artist" and, THE CITY OF LONG BRANCH, hereinafter referred to as "The Purchaser" is as follows:

1. The parties agree that The Artist shall perform in The City of Long Branch on July 21, 2009 at "Downtown Stage", located at the Corner of Union Avenue and Third Avenue, Long Branch, New Jersey from 7:00 p.m. to 8:30 p.m.

2. The parties agree that the fee(s) in the amount of $1,000.00 shall be rendered to The Artist immediately upon conclusion of the engagement.

3. The parties agree that The Artist will provide all technical sound equipment.

4. This Agreement of The Artist to perform is subject to proven detention by sickness, accidents, riots, strikes, epidemics, acts of God, or any other legitimate conditions beyond their control. If the engagement is cancelled due to inclement weather, The Artist will receive full payment from The City of Long Branch. The Artist is willing to appear at a later date but only if the aforementioned Artist is available on that given date.

5. In case of default by The Purchaser, The Artist will retain any and all deposit monies plus reasonable attorney's fee and court costs.

6. This contract constitutes the sole, complete, and binding agreement between The Artist and The Purchaser

X	For Purchaser	Date
		1/22/09
JODY JOSEPH	For The Artist	Date

LOV 02

CITY OF LONG BRANCH

Purchase Requisition

Vendor Love Songs Inc

Address:

State Contract #

P.O. will [ ] originate [ ] confirm order to vendor.

Purchase Order #

Date 1/21/09

Using Dept. Administration

Budget Appro. # 1-14-100-096

Fixed Asset Yes____ No____

QUANTITY/UNIT	FULL DESCRIPTION OF REQUESTED PURCHASE	EST./ACTUAL UNIT PRICE	TOTAL
1	Concert West Coast Cruise Night July 11 2009 Darlene Love		15,000.00
		TOTAL	15,000.00

Delivery Address:

Special Instructions:

I hereby certify that the articles/services requested are necessary to properly conduct the activities of this agency, and are to be used exclusively for the purpose against which said items are charged.

Department Head Signature

Date 1/21/

darlen[redacted]ve
P.O. Box 762, N[redacted]0954
[redacted]siasts!

January 22, 2009

Barry Stein, Assistant Director
Office of Community Development
City of Long Branch, Municipal Building
344 Broadway
Long Branch, NJ 07740

Re: Performance Proposed For July 11, 2009, In The Town Of Long Branch, NJ

Dear Barry,

We sincerely appreciate your patience while Darlene was caught up in projects from Christmas through the New Year, and not on top of things as we should have been.
Darlene has committed to the event and plans to make this mutually successful are well In the brew.

Please allow the following to serve as the agreement between Love Songs Inc. f/s/o Darlene Love and The City Of Long Branch.

The City Of Long Branch will provide the following:

1. Venue

2. Lighting (stage, etc.)

3. Sound (PA System, Microphones)

4. Hospitality

5. $15,000 Fee made payable to Love Songs Inc. upon arrival (on day of event).

Love Songs Inc. will provide the following:

1. Backline Including, Band (drums, piano, guitar, bass, horn, 3 back up singers)

2. Darlene Love

Darlene permits taping of her concert for The City Of Long Branches Archives, In-house cable access channel and shown solely to Long Branch residents to promote concerts at Long Branch, New Jersey.

Any exploitation of the concert other than the expressed use shall be subject to mutual approval of the parties and upon terms to be discussed and negotiated.

If the foregoing meets your approval, please Indicate your acceptance of these terms by signing on page 2, where Indicated. Please fax all signed forms (Including W9 and Purchasing Agreement) to 845-356-2234 at your earliest convenience.

Of course, please feel free to contact me If you have any questions regarding the above.

Thank you again for your time and consideration In this matter.

darlen[illegible]ve
P.O. Box 762, N[illegible]0954
[illegible]siasts!

Best,

LOVE SONGS INC.

Darlene Love · 1.22.09

Darlene Love
President

ACCEPTED AND AGREED TO:

THE CITY OF LONG BRANCH

_____
By: Barry Stein, Assistant Director
Office of Community and Economic Development

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name:	LOVE SONGS INC
Trade Name:	
Address:	28 NORTH COLE AVE SPRING VALLEY, NY 10977
Certificate Number:	1463995
Effective Date:	July 11, 2009
Date of Issuance:	February 03, 2009

For Office Use Only:

20090203092522660

R# 41-09

RESOLUTION AUTHORIZING CONTRACTS THROUGH MONMOUTH COUNTY COOPERATIVE PURCHASING PROGRAM

WHEREAS, in accordance with NJAC 5:34-7.21,et seq., the City may award a contract without publicly advertising for bids when purchasing under any contract entered into by the County of Monmouth under its Monmouth County Cooperative Purchasing Program; and

WHEREAS, the City of Long Branch has the need to purchase certain goods and services for use in the day to day operation of its various departments and the Purchasing Agent, after consultation with the various City Department Heads, has recommended that it would be advantageous to the City to secure those purchases through certain contracts issued by the County of Monmouth; and

WHEREAS, the County of Monmouth has awarded these contract through a fair and open process as required by N.J.S.A. 19:44-20.4 et seq.; and

WHEREAS, Certifications of Funds for this contract will be provided based upon issuance of purchase orders issued prior to each purchase, and subject to availability of funds, and, pursuant to N.J.A.C.5:345.5(b), no contract amount shall be chargeable, and no purchase shall be made, without prior certification of availability of funds by the Chief Financial Officer and issuance of the required Purchase Order.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Long Branch hereby authorizes the Purchasing Agent to purchase goods or services from those Monmouth County Cooperative Purchasing System contract vendors on the attached list, pursuant to all conditions of the individual Monmouth County bid specifications and contracts; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the City of Long Branch and the referenced Monmouth County Cooperative Purchasing Program vendors shall be from January 1 through December 31, 2009, or the date of expiration of the county contract, whichever is sooner.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute any and all necessary document pursuant to said award.

Monmouth County Co-op Purchasing Program
2009 Calendar Year

COMMODITY DESCRIPTION	VENDOR	BID ID#	TERM
Liquid Calcium Chloride	Innovative Municipal Products	F-9-2008	1/1/08-12/31/09
Tires, Tubes, Roadside Service	Edwards Tire Co., Inc.	F-28-2008	1/01/08-3/31/09
Various Gases and Welding Supplies	Seaboard Welding Supply, Inc.	F-48-2008	1/01/08-12/31/09
Parts, Related Items and Repairs for GMC Equipment	Allied Diesel Service, Inc.	F-50-2008	1/01/08-12/31/09
Parts, Related Items for Chevrolet Equipment	Allied Diesel Service, Inc.	F-51-2008	1/01/08-12/31/09
Parts, Related Items for Jeep Equipment	Allied Diesel Service, Inc.	F-52-2008	1/01/08-12/31/09
Parts, Related Items and Repairs for Ford Equipment	Allied Diesel Service, Inc.	F-53-2008	1/01/08-12/31/09
Parts, Related Items and Repairs for Dodge Equipment	Allied Diesel Service, Inc.	F-54-2008	1/01/08-12/31/09
Maintenance Materials (Sand, Stone, Gravel)	RWV Land and Livestock South Stavola Contracting Co., Inc.	F-84-2008	2008-2009
Lubricating Oil and Grease	Total Lubrication Services	F111-2008	5/01/08-4/30/09
Work Zone Safety Equip. and Supplies	Traffic Safety Service, LLC	F-210-2008	3/01/08-2/28-09
Parts for Various Sweepers	W.E. Timmerman Co., Inc.	F-23-2009	1/01/09-12/31/10
Parts and Repairs for Case IH Equipment and McCormick Tractors	Storr Tractor Company	F-25-2009	1/01/09-12/31/10
Parts and Repairs for Ford Motor Vehicles	Freehold Ford, INc.	F-31-2009	1/01/09-12/31/10
Plumbing Supplies	Grant Supply Company	F-36-2009	1/01/09-12/31/09
Hot Mix Bituminous Concrete	Stavola Contracting Co., INc.	F-45-2009	1/01/09-12/31/09
Rock Salt and Treated Rock Salt	International Salt Company	F-46-2009	1/01/09-12/31/09
Lubricants, Motor Oils, Anti-freeze	Total Lubrication Services US Lubes, LLC	F-47-2008	1/01/09-12/31/09
Bolts, Fasteners and Misc. Parts	Chem-Tek Industries, Inc.	F-48-2009	1/01/09-12/31/10
Mason Materials	Clayton Block Company, Inc.	F-49-2009	1/01/09-12/31/09
Photographic Supplies	The Photo Center	F-51-2009	1/01/09-12/31/09
Paint and Paint Supplies	The Sherwin Williams Company	F-52-2009	1/01/09-12/31/09
Diesel Fuel and Unleaded Gasoline	Allied Oil Company	F-62-2009	1/01/09-12/31/09
Automotive Batteries and Related Parts	Fleetsource, LLC	F-67-2009	1/01/09-12/31/10
Office Supplies	W B Mason	F-53-2009	1/01/09-12/31/09
Recycled Copier Paper	W B Mason	F-63-2009	1/01/09-6/30/09
Printer Cartridges for Various Printers	Office Needs	F-80-2009	1/01/09-12/31-2010

R# 42-09

RESOLUTION AUTHORIZING PARTICIPATION OF BOROUGH OF OCEANPORT IN LONG BRANCH COMMODITY RESALE SYSTEM

WHEREAS, the City of Long Branch maintains a fuel dispensing system for the purpose of dispensing gasoline and diesel fuel for use in its vehicles and equipment, and storage facility for bulk snow removal chemical; and

WHEREAS, the City has previously established the Long Branch Commodity Resale System, ID #99026-LBCRS, and acting as the lead agency, allows the Long Branch Housing Authority, Long Branch Board of Education, Boro of West Long Branch, and Borough of Sea Bright, to purchase these commodities for each agencies use; and

WHEREAS, the Borough of Oceanport has expressed the desire to become a member of the Long Branch Commodity Resale System for the purpose of purchasing fuel for use in its vehicles and equipment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Long Branch, County of Monmouth, State of New Jersey as follows:

1. The City Council hereby approves the request of the Borough of Oceanport to become a member of the Long Branch Commodity Resale System, ID #99026-LBCRS, pending approval of Department of Community Affairs, Division of Local Government Services, for a term from execution and approval by NJ State Department of Community Affairs through April 25, 2009 (expiration date of current system).

2. The Mayor is hereby authorized to execute any necessary documents relative to the addition of Borough of Oceanport as a new member of said system.

BE IT FURTHER RESOLVED that the Purchasing Agent shall forward a certified copy of this resolution, along with the certified copy of the Borough of Oceanport resolution and executed agreement to the Division of Local Government Services for approval of an additional member to the Long Branch Commodity Resale System.

REQUEST FOR REGISTRATION OR MODIFICATION OF A COMMODITY RESALE SYSTEM
(Cooperative Purchasing Form CP-2060)

RETURN COMPLETED FORM TO:

Cooperative Purchasing
Division of Local Government Services
PO Box 803
Trenton NJ 08625-0803
Attn: Nicola Reid

SYSTEM NAME

Long Branch City
Commodity Resale System

ACTION REQUESTED

SYSTEM		MEMBER(S)		COMMODITY(S)	
Register	Renew	Add	Delete	Add	Delete
		X			

LEAD AGENCY

Long Branch City

MEMBER(S)

Long Branch Housing Authority
Long Branch Board of Education
Borough of West Long Branch
Borough of Sea Bright
Borough of Oceanport (New Member)

COMMODITY(S) TO BE SOLD

- [x] Gasoline
- [x] Diesel Fuel
- [x] Snow Removal Chemicals
- [ ] Public Works Materials

This is to certify that the requirements of *N.J.S.A. 40A:11-1 et seq.* and *N.J.AC. 5:34-1 et seq.* are understood and the proposed activity is in compliance with them.

ORIGINAL SIGNATURE: [signature]

E-MAIL ADDRESS: cmellaci@ci.long-branch.nj.us

NAME: Carol A. Mellaci

ADDRESS: 344 Broadway
Long Branch, NJ 07740

TITLE: Purchasing Agent

PHONE: 732-571-5656

DATE: February 11, 2009

FOR USE BY THE DIVISION OF LOCAL GOVERNMENT SERVICES

- [ ] APPROVED
- [ ] DISAPPROVED

RECEIVED:

REGISTRATION EXPIRES:

APPROVAL EFFECTIVE:

IDENTIFIER:

A2060.DOC

AGREEMENT

THIS AGREEMENT MADE THIS DAY OF , IN THE YEAR TWO THOUSAND AND FIVE,

BETWEEN: CITY OF LONG BRANCH
344 Broadway
Long Branch, NJ 07740

a municipal corporation of the State of New Jersey;
hereinafter called the CITY;

AND

BORUGH OF OCEANPORT
222 Monmouth Boulevard
Oceanport, NJ 07757

hereinafter called the BOROUGH

WITNESSETH:

WHEREAS, the City of Long Branch, acting as the Lead Agency, has established the Long Branch Commodity Resale System for the purpose of re-selling to its members certain commodities, namely diesel fuel and unleaded gasoline, and snow removal chemical; and

WHEREAS, the Borough of West Long Branch is desirous of becoming a member of said System in order to purchase diesel fuel and unleaded gasoline from the City.

NOW, THEREFORE, in consideration for the execution of this Agreement and the supplying of services hereunder, the parties agree as follows:

1. <u>SUPPLY OF FUEL</u>

1.1 The City of Long Branch will provide to the Borough an estimated 12,000 gallons of 87 octane-unleaded gasoline, and an estimated 4,000 gallons of diesel fuel per year.

2. <u>FUEL DISPENSING SYSTEM</u>

2.1 All fuel to be provided to the Borough will be dispensed at the City's computerized, metered fuel dispensing system, located at the Public Works Yard, 636 Joline Avenue, Long Branch.

2.2 The Borough shall have the right, at any time to verify the accuracy of the dispensing system at its own expense. The Borough shall give the City Public Works Director ten (10) days written notice prior to conducting any test.

2.3 The City shall assign to the Borough entrance keys to the fuel dispensing system. The keys shall only be used to dispense fuel to authorized Board vehicles or equipment. The Borough shall be charged for the actual cost of keys assigned to its vehicles. The keys shall remain the property of the City.

3. EXCUSED PERFORMANCE

3.1 The City agrees to use its best efforts to provide a continuous and uninterrupted supply of fuel, subject to the terms of this agreement.

3.2 In the event of an interruption of fuel supply, due to inoperable pumps, lack of fuel, interruption of electrical power, or other such reason as to cause the fuel dispensing system to be inoperable, the Public Works Director will notify a designated representative of the Borough. Upon notification, the Borough will, for the length of time of the interruption, obtain its fuel from an alternate source of its choice. The City will be held harmless for any and all costs the Borough may incur in obtaining fuel during the interruption of service.

4. HOURS OF SERVICE

4.1 Unless notified in writing to the contrary, the supply of fuel is available twenty-four hours per day, seven days per week.

5. FUEL PRICE

5.1 The price per gallon to be charged to the Borough for all gas consumed shall be the highest price paid by the City to its supplier during that calendar month. In the event that no fuel was purchased during that calendar month, the highest price paid during the prior month shall be charged.

5.2 Documentation on the City's cost for fuel will accompany the monthly bill to the Borough.

5.3 In entering into this agreement, the Borough acknowledges its understanding that the price paid by the City to its supplier for fuel fluctuates in accordance with the terms of New Jersey State Contract for fuel, based on postings in the New York Journal of Commerce. The Borough will be notified in advance of any changes in the City's contract for purchase of fuel.

6. ESCROW DEPOSIT

6.1 Upon execution of this agreement, the Borough will establish with the City an **escrow deposit of $** , which is approximately equal to two months estimated fuel cost. This shall be a one-time escrow deposit, and shall be held by the City for the length of this agreement.

6.2 In the event that this agreement is terminated, the City, within thirty (30) days, will return the escrow deposit, less the cost of any outstanding bills for fuel used by the Borough.

6.3 The City reserves the right to review the amount of the escrow deposit, based on the actual usage by the Borough for a given twelve month period, and to adjust the required escrow amount required accordingly.

6.4 *The City will waive the requirement of an escrow deposit if the Borough agrees, during the term of the contract, to process and provide payment to the City within ten business days of receipt of an invoice for prior month's fuel usage.*
Initial here acknowledging agreement to this contract condition_____.

7. PAYMENT OBLIGATION

7.1 The City will bill the Borough, by the tenth of each month, for the prior month fuel usage. The bill will be accompanied by a report from the City's fuel dispensing system which details the usage by date, and key assignment.

7.2 The Borough agrees to reimburse the City for the cost of fuel consumed within forty-five days of receipt of the invoice for same.

7.3 The City will charge the expense for said fuel to the Boor's escrow deposit, and the reimbursement from the Borough will replenish the escrow deposit.

8. INDEMNIFICATION

8.1 The Borough shall completely indemnify, protect, and hold harmless the City from any and all costs, expenses, liability, losses, claims, suits, and proceedings of any nature whatsoever relative to the City's provision and dispensing of fuel to the Borough.

9. TERM OF AGREEMENT

9.1 This agreement shall be in effect for a period from date of execution of the agreement documents by both parties through the current term of the Long Branch Commodity Resale System, which is April 25, 2009.

10. TERMINATION OF AGREEMENT

10.1 This agreement may be terminated by either party upon ninety (90) days advance written notice, by certified mail, to the official address of the other party.

11. GOVERNING LAW

11.1 This agreement shall be governed by and interpreted in accordance with the laws of the State of New Jersey.

IN WITNESS WHEREOF, the **CITY** has caused this instrument to be signed by **ADAM SCHNEIDER, MAYOR**, attested by **IRENE A. JOLINE**, **CLERK**, and the Municipal Seal to be hereunto affixed, and **BOROUGH** has caused this instrument to be signed by its officers and its proper seal to be hereto affixed, the day and year first above mentioned.

CITY OF LONG BRANCH

By: _____
Adam Schneider, Mayor

Attested by: _____
Irene A. Joline, City Clerk

Date: _____

BOROUGH OF OCEANPORT

By _____

Attested by: _____
Kim Jungfer, Borough Clerk

Title: _____

Date: _____

R# 43-09

RESOLUTION TO REFUND
HOMESTEAD REBATE RECEIVED
BY THE CITY OF LONG BRANCH

BE IT RESOLVED, by the City Council of the City of Long Branch, that upon the recommendation of the Tax Collector, a refund be made to the taxpayer(s) shown below for their Homestead Rebate and,

NOW THEREFORE BE IT RESOLVED, that the Finance Department is hereby authorized to issue an individual check to the taxpayer(s) shown below and charge **TRUST 3068** in the total amount of $1,250.00.

BLOCK	LOT	NAME	AMOUNT
263	10	Bellinger, Carolyn 376 W. Columbus Pl. Long Branch, NJ 07740	1,250.00

R# 44-09

RESOLUTION TO REFUND OVERPAYMENT
OF TAXES DUE TO A
TAX COURT OF NEW JERSEY
JUDGMENT

WHEREAS, the City of Long Branch has received from the Tax Court of New Jersey judgment(s) reducing the assessment on certain property for the years indicated and,

WHEREAS, the taxes on the certain property for the years indicated are overpaid and,

BE IT RESOLVED, that the City of Long Branch refund to the taxpayer(s) shown on the attached sheet the amount of the tax overpaid and,

NOW THEREFORE BE IT RESOLVED, that the Finance Department is hereby authorized to issue an individual check(s) to the taxpayer(s) shown on the attached sheet charging 2008 taxes in the amount of $17,723.80.

BLOCK	LOT	NAME	YEAR	AMOUNT
13	6	Howard B. Goldberg Attorney for Kanter, R & V 33 Clinton Road West Caldwell, NJ 07006	2008	4,432.37
30	13	Shvut, Uzi 464 Avenue U Suite 2R Brooklyn, NY 11223	2008	2,690.42
87	5.27	The Irwin Law Firm, P.A. Attorney for Tawil, R & S 80 Main St. Suite 410 West Orange, NJ 07052	2008	772.15
276	18	N J Bell Tax Manager PO Box 152206 Irving, TX 75015-2205	2008	9,828.86

R# 45-09

RESOLUTION AUTHORIZING CANCELLATION OF MORTGAGE OF EHCNALB LIGHTBOURNE 276 ROCKWELL AVENUE, LONG BRANCH, NEW JERSEY

WHEREAS, the City of Long Branch entered into a City of Long Branch RCA Lien with Ehcnalb Lightbourne, 276 Rockwell Avenue, New Jersey, in the sum of $28,295.00 on April 4, 1999; and

WHEREAS, original mortgage of $27,945.00 was Recorded on May 7, 1999 in Mortgage Book 6784, Page 467 and Re-Recorded on July 20, 1999 in Mortgage Book 6849 Page 711 to increase the amount to $28,295.00; and

WHEREAS, pursuant to correspondence received on December 1, 2008 from Tonya Medina of the Office of Community & Economic Development, the homeowners have met the terms and conditions of the mortgage loan listed above and therefore are entitle to a Discharge of the RCA Lien.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Long Branch that the Mayor of the City of Long Branch be and the same hereby is authorized to execute a Discharge of Mortgage in the amount $27,945.00 which was recorded on May 7, 1999 in Mortgage Book 6784, Page 467 and Re-Recorded on July 20, 1999 in Mortgage Book 6849 Page 711 to increase the amount to $28,295.00; previously loaned to Ehcnalb Lightbourne, 276 Rockwell Avenue, Long Branch, New Jersey, in the form annexed hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the Clerk of the City of Long Branch be and the same hereby is authorized to forward said cancelled mortgage to the Monmouth County Clerk's office for cancellation.

MOVED:
SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLE CALL:

AYES:
NAYES:
ABSENT:
ABSTAIN:

Discharge of Mortgage

A certain Mortgage dated **April 1, 1999** , was made by
Ehcnalb Lightbourne

to
City of Long Branch

This Mortgage was made to secure payment of $ **27,945.00 increased to $28,295.00** and interest. It was recorded or registered in the office of the county recording officer of **Monmouth** County, State of New Jersey, on **May 7, 1999** , in Mortgage Book **OR-6784** on Page **See 1** .

1. This Mortgage has been PAID IN FULL or otherwise SATISFIED and DISCHARGED. It may now be discharged of record. This means that this Mortgage is now canceled and void.

2. I sign and CERTIFY to this Discharge of Mortgage on **January 27, 2009** .

Witnessed or Attested by:

_____ (Seal)
Adam Schneider, Mayor

_____ _____ (Seal)
Irene Joline, City Clerk

STATE OF NEW JERSEY, COUNTY OF **MONMOUTH** SS:
I CERTIFY that on **January 27, 2009**
Adam Schneider, Mayor
personally came before me and stated to my satisfaction that this person (or if more than one, each person):
(a) was the maker of the attached instrument;
(b) executed this instrument as his or her own act.

_____

Print name and title below signature

STATE OF NEW JERSEY, COUNTY OF **MONMOUTH** SS:
I CERTIFY that on **January 27, 2009**
Adam Schneider
personally came before me and stated to my satisfaction that this person (or if more than one, each person):
(a) was the maker of the attached instrument;
(b) was authorized to and did execute this instrument as **Mayor**

of **the City of Long Branch** the entity named in this instrument; and,
(c) executed this instrument as the act of the entity named in this instrument.

RECORD AND RETURN TO:
Tonya Medina
City of Long Branch
344 Broadway
Long Branch, NJ 07740

_____

Print name and title below signature

(For Recorder's Use Only)

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Addendum

1. 467 and Re-recorded on July 20, 1999 in Mortgage Book OR-6849 on Page 711 to increase the amount to $28,295.00.

R# 46-09

RESOLUTION CANCELLING MORTGAGE OF
BEVERLY M. WILLIAMS, 238 VANDERVEER PLACE, LONG BRANCH, NEW JERSEY TO
THE CITY OF LONG BRANCH

WHEREAS, the City of Long Branch has provided RCA funds in the amount of $12,196.00 to Beverly M. Williams for property located at 238 Vanderveer Place, Long Branch, New Jersey, and

WHEREAS, the original Mortgage for $12,196.00 was made on May 7, 2002 and recorded on July 9, 2002 in Mortgage Book OR-8121, Page 2326, and

WHEREAS, Beverly M. Williams has met the terms and conditions of the Mortgage Loan pursuant to the review and recommendation of the Office of Community and Economic Development pursuant to its letter of December 31, 2008 executed by Tonya Medina, Housing Technician, and

WHEREAS, the loan was an RCA loan which improved the value of the property, and

WHEREAS, the conditions of the loan have been met.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Long Branch that the Mayor of the City of Long Branch being and is hereby authorized to execute a Discharge of Mortgage for the premises known as 238 Vanderveer Place, Long Branch, New Jersey, 07740, owned by Beverly M. Williams in the amount of $12,196.00 made on May 7, 2002, recorded July 9, 2002 in Mortgage Book OR-8121, Page 2326, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Beverly M. Williams, and

BE IT FURTHER RESOLVED, that upon the execution of the Discharge of Mortgage the City shall file the Discharge of Mortgage with the Monmouth County Clerk's Office.

MOVED:

SECONDED:

AND ADOPTED UPON THE FOLLOWING ROLL CALL:

AYES:

NAYES:

ABSENT:

ABSTAIN:

R# 47-09

RESOLUTION
APPROVAL PAYMENT OF BILLS

WHEREAS, the City Council of the City of Long Branch have examined the bills and the vouchers therefore that are contained on the attached list.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Long Branch that the payment of bills set forth on the attached list are hereby approved.

MOVED:
SECONDED:

AYES:

NAYES:

ABSENT:

ABSTAIN:

State of New Jersey
County of Monmouth
City of Long Branch

I, Irene A. Joline, City Clerk of the City of Long Branch do hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council at a Regular Meeting held on February 10, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Long Branch, Monmouth County, New Jersey this _____ day of _____, 2009

_____
Irene A. Joline, City Clerk

PUBLIC NOTICE

Notice is hereby given that the following bills will be submitted for payment approval as of February 10, 2009. The original bills are on file in the Office of the Director of Finance of the City of Long Branch between the hours of 8:30 and 4:30 P.M. Monday through Friday.

279 Broadway Assoc.	Rent for Municipal Court & Drug Office - February 2009	*	10,000.00
7-Eleven	Water for Firefighters at Fire on Second Avenue - 1/3/09 - Fire Dept.		114.24
A & L Auto Repair	Towing - 1/4 & 1/21/2009 - Police Dept.		150.00
A.R. Communications	Repair Pager & Hook Up Knox Box in Vehicle #25-86 - Fire Prevention		100.00
Aamco Transmissions	Rebuild Transmission - PD #36 - DPW		1,428.32
Ace Auto Tops	Repair Seat Cushion - Vehicle #25-68 - Fire Dept.		85.00
All American Poly Corp.	Litter Bags - DPW		16,765.00
Allied Oil Co.	Diesel Fuel & Underground Storage Tank Tax - 12/11/08-1/7/09 - DPW		18,277.17
Ambassador Medical Services	Drug Testing - November & December 2008 - Human Services		479.00
Amerigo Vespucci Society	Full Page Ad in Journal - Honoring Carmine Tarrantino - "Man of the Year" - Mayor's Office		150.00
Aramark	End of Year Recognition Awards for Fire Dept. Personnel		2,373.00
AT&T	Utilities - Telephone - 1/9/2009 - Various Locations	*	31.88
Auto Parts	Misc. Automotive Parts - December 2008 - DPW		34.96
Auto Zone	Misc. Automotive Parts - November 2008 - DPW		1,793.48
Backyard Jimmy Inc. / DBA Yardworks	(3) Sheds for Beachfront - Recreation Dept.		3,270.00
Bella's Pizza	Food for College Tour Meeting & Coaches' Meeting - 1/22 & 1/24/09 - Recreation Dept.		200.90
Bette White Fernandez	Tap Dance Instruction - 1/9 & 1/23/2009 - Senior Affairs		64.00
Big A Trucking	Repair Flat Tire - Truck #25-9-75 - Fire Dept.		80.00
Bollinger Insurance Inc.	Youth Basketball Accident Insurance Renewal - 2/3/09-2/3/2010 - Recreation Dept.		718.00
Builders' General Supply	Materials for Beachfront Signs - DPW		498.60
Bullet Lock & Safe	Security Tags for Fleet Key Security - Police Dept.		68.50
CCH Inc.	2009 Accounting Desk Book & 2009 Tax Practioners - Finance Director	*	509.94
Charles Simonelli	Reimb. for Expenses Incurred - NYPD Homicide Invest. School - 1/12-1/23/09 - Police Dept.		113.26
City of Long Branch Clearing Account	Reimburse Clearing Account	*	273,712.10
City of Long Branch Clearing Account	Reimburse Clearing Account	*	5,403.21
City of Long Branch Clearing Account	Reimburse Clearing Account	*	840,843.66
City of Long Branch Payroll Agency	Payroll Dated 1/23/2009	*	34,170.02
City of Long Branch Payroll Agency	Payroll Dated 1/23/2009	*	806,673.64
CMF	Copier Paper to Replenish Central Supply		1,197.58
Coast Hardware Co.	Misc. Hardware - December 2008 - DPW / Fire Dept.		402.76

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Collision Repair By Damiano	Towing - 12/30/2008 - PD #8 - DPW		30.00	
Comcast Online	Internet Provider Service - 1/16-2/15/2009 - Various Depts.	*	169.95	
Cooper Electric Supply	Electrical Supplies for Fire Dept. & Service Call at City Hall Building for Generator - DPW		627.21	
Dell Computer Corp.	Computer for Comptroller		1,120.04	
Difrancesco, Bateman, Coley & Yospin	Legal Services Rendered - Tax Appeals - December 2008		5,521.29	Final Pymt
Euro Car	Tint Windows on Various Police Vehicles - Police Dept.		905.00	
Extreme Machines	Purchase of Mule (Utility Vehicle) & Related Equipment - DPW		15,773.94	
F & C Automotive Supply	Misc. Automotive Parts - Sanitation #100 - DPW		341.09	
Fax Express	Maintenance Agreement Renewal for Fax Machine - 2/27/09-2/26/10 - City Clerk's Office		370.00	
Fine Fare	Beverages for Stock - Held for OEM Emergencies		131.00	
Firefighter One	(2) Rescue Suits - Fire Dept.		1,251.49	
Ford Motor Credit	(7) Lease/Purchase Vehicles - February 2009	*	4,624.71	
Ford Motor Credit	(7) Lease/Purchase Vehicles - January 2009	*	4,624.71	
Freehold Township Health Dept.	Lead Inspector Services - September / November 2008		3,346.20	Final Pymt
Gagliano Appraisal	2008 Tax Court Appeals - November & December 2008		600.00	Pymt #4
Gagliano Appraisal	2007 & 2008 Tax Court Appeals - January 2009		2,593.00	Pymt #1-2
Gannett Satellite Information Network	Legal Ads - December 2008 - City Clerk's Office		1,197.70	
Garden State Battery	Batteries for Radio Equipment - Fire Dept.		108.00	
General Code Publishers	Annual Codebook Subscription - City Clerk's Office		880.00	
General Linen & Paper Supply	Janitorial Supplies - DPW		441.09	
Gerald Carroll	Reimbursement for E-Mail Services & Cell Phone Equipment - IT-Administration		62.93	
GPANJ	2009 Annual Membership Dues - Carol Mellaci - Purchasing Dept.		90.00	
Grainger	Misc. Equipment - DPW		277.66	
Hewlett Packard	Printer for DPW & Cartridges for Mayor's Office		309.00	
Hunter Jersey Peterbilt	Misc. Parts - Sanitation #50 - DPW		310.74	
Institute for Professional Development	Registration - Financial Statement Workshop Seminar - 1/16/09 - M. Distefano - City Council		99.00	
International Code Council Inc.	(2) 2006 International Fire Code - Kevin Hayes - Fire Prevention		246.00	
Jamm Printing	Business Cards - Ilse Hendley - Community Dev.		37.00	
Jeff Grippaldi	Reimb. for Expenses Incurred - NYPD Homicide Invest. School - 1/12-1/23/09 - Police Dept.		156.61	
Jersey Central Power & Light	Utilities - Electric - 11/27/08-1/19/09 - Various Locations	*	43,341.49	
Jewel Electric Supply	Light Bulbs for Lamps in Parks - DPW		192.00	
Joann Fabrics & Crafts	Supplies for Various Classes & Special Events in February 2009 - Senior Affairs	*	372.75	
John Guire Co.	Sand for Atlantic Avenue - DPW		280.00	
John Stamler Police Academy	Registration - Cultural Awareness Seminar - 11/20-11/21/08 - P.O. Rodriques - Police Dept.		60.00	
Lanigan Associates	Alterations to Vest Carrier - Det. Cattelona - Police Dept.		150.00	
Lawmen Supply Co. of NJ	Uniform Accessory - Sgt. Bard - Police Dept.		8.00	
Lawson Products	Misc. Hardware for DPW Stock		28.00	
Long Branch Chamber of Commerce	Full Page Ad in Journal - Honoring Libutti Award Recipients - Mayor's Office		100.00	

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

Long Branch Chamber of Commerce	Rent for UEZ/Community Dev. Office - January & February 2009	*	3,250.00	
Long Branch Public Library	2008 Contribution - Balance Due	*	67,489.97	
Long Branch Sewer Authority	Sewer Charges - First Quarter 2009	*	1,855.65	
Maaco Auto Painting & Bodyworks Center	Paint Senior Van & Moldings on OEM #25-9-30 - DPW		1,675.00	
Maria Garcia-Malave	Spanish Interpreting Services - December 2008 - Municipal Court		360.00	
Michael A. Irene, Jr. Esq.	Legal Services Rendered - Retainer - November & December 2008		1,000.00	Final Pymt
Michael Kowal	Reimbursement for Lead Inspector Course - 1/29/2009 - Health Dept.	*	70.00	
Monmouth Cnty Clerk's Office - Market Yard	Recording of Ord. #20-08 - City Clerk's Office		8.00	
Monmouth County Police Academy	Ammunition for Special Law Enforcement Officers for Basic Course - Police Dept.		966.80	
Monmouth County Treasurer - Finance Dept.	Tipping Fees & Various Taxes - 12/1-12/31/2008 - DPW		91,769.03	
Moore Medical	Medical Supplies for EMT Vehicles - Police Dept.		951.20	
Motor Vehicle Services	Renewal of Vehicle In Transit Plate - Traffic Dept.	*	135.00	
Motorola C & E	Two Way Radio Equipment for Police Dept.		30,110.98	
National Asbestos Environ. Training Institute	Lead Inspector Training Course - 1/12-1/16/2009 - Michael Kowal - Health Dept.		700.00	
New Jersey American Water	Utilities - Water - 11/26/08-1/12/09 - Various Locations	*	1,421.71	
New Jersey Natural Gas	Utilities - Gas - 12/10/08-1/19/09 - Various Locations	*	10,287.17	
NJ Business Systems	Software Maintenance for Time & Attendance System - Third & Fourth Quarter		11,025.00	Final Pymt
NJ Planning Officials	Three Way Membership (Two Boards & Governing Body) - 1/1-12/31/09 - Planning/Zoning		405.00	
NJ State League of Municipalities	Registration - Budget Seminar - 1/8/2009 - Finance Director	*	75.00	
Otilia Silva	Portuguese Interpreting Services - December 2008 - Municipal Court		360.00	
Peco Inc.	Ribbon Cartridges for Genicom Printer - Comptroller's Office		110.00	
Petro King Service Co.	Service Call on Gasoline Pump - DPW		578.00	
Petroleum Traders Corp.	Unleaded Gasoline & Underground Storage Tank Tax - 12/11/08-1/21/09 - DPW		29,140.74	
Public Strategies / Impact	Professional Services Rendered - Lobbying Consultant - January 2009		2,500.00	Pymt #1
Registered Municipal Accountants Assoc.	RMA Annual Membership Dues - Finance Director	*	125.00	
Rockafellers	Food for Training Class at Fire Headquarters - 1/27/2009 - Fire Dept.		200.00	
Rockafellers	Food for HAZMAT Training - 1/23/2009 - OEM	*	180.20	
Russomano Enterprises	Rent for DPW - February 2009	*	500.00	
Satellite Self Storage	Storage Fees - February 2009 - Delores Smith - School Project - Community Dev.		518.00	
Scoles Floorshine Industries	Janitorial Supplies - DPW		936.67	
Seaboard Welding Supply	Welding Supplies & Industrial Gases - December 2008 - Municipal Garage		87.50	
Select Trans Equipment	Service Call on Waste Oil Burner at DPW		460.00	
Signs By Tomorrow	Banner for College Bus Tour - Recreation Dept.		112.50	
Siperstein's	Paint / Materials - December 2008 - DPW		162.73	
Skip's Sports	Singlets for Youth Wrestling Program - Recreation Dept.		448.00	
Stavola Asphalt Co.	Stone for Atlantic Avenue - DPW		548.10	
Supply Saver Corp.	Toner Cartridges - Police Dept.		269.70	
Tasc Fire Apparatus Inc.	Service Hurst Equipment - Truck #25-8-85 - Fire Dept.		1,927.00	

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

TCTA Membership Services	2009 Membership - Finance Director	*	75.00	
The Hungry Puppy	Dog Food for K-9's - Police Dept.		394.90	
The Manahawkin Printing Co.	Printing of 2008 Long Branch Calendar - DPW / Community Dev.		10,561.50	
Trico Equipment	Misc. Parts - Public Works Vehicle #105 - DPW		2,240.85	
Trump Taj Mahal Casino/Resort	(2) Reservations - ASAP Conference - 2/5-2/6/09 - P. Strub & R. Taylor - Human Services	*	155.00	
United Parcel Service	Ground Shipment - Recreation Dept.		27.10	
Up-Tite Fasteners	Hardware for Lift in Garage - DPW		147.50	
USA Mobility	Pager Service - 1/1-3/31/2009 - Various Depts.	*	29.17	
Verizon	Utilities - Telephone - 1/1-1/11/2009 - Various Locations	*	582.44	
Verizon Wireless	Laptop Service - 12/13/08-1/12/09 - Various Depts.	*	2,002.64	
Verizon Wireless	Cell Phone Service - 1/16/2009 - Various Depts.	*	2,116.26	
W E Timmerman Co.	Misc. Parts - (Sweeper) PW #90 - DPW		517.15	
W.B. Mason Co.	Various Office Supplies - Various Depts.		1,482.39	
Warshauer Electric Supply	Electrical Materials for City Hall Building		369.40	
TOTAL CURRENT			**2,393,906.77**	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	8,910.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	6,150.00	
Clayton Block Co.	Stone for Retaining Wall at Narragansett Ave. for Manahassett Creek Park		1,132.00	
Satellite Self Storage	Storage Fees - February 2009 - Delores Smith - School Project - Community Dev.		518.00	
Verizon New Jersey	Pole Relocation for Manahassett Park Improvement Project	*	6,150.00	
TOTAL CAPITAL			**22,860.00**	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	2,030.26	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	112.91	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	5,327.15	
City of Long Branch Payroll Agency	Payroll Dated 1/23/2009	*	381.30	
City of Long Branch Payroll Agency	Payroll Dated 1/23/2009	*	4,945.85	
Geese Chasers	Geese Maintenance Control - Lake Area - January 2009		1,079.00	Pymt #1
Verizon Wireless	Cell Phone Service - 1/16/2009 - Animal Control	*	112.91	

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

TOTAL DOG 13,989.38

Atlantic Fire & Security	Re-Program Fire/Security System at Storage Facility on Belmont Avenue - Comm. Dev.		2,794.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	7,287.32	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	3,765.83	
City of Long Branch Payroll Agency	Payroll Dated 1/23/2009	*	267.46	
City of Long Branch Payroll Agency	Payroll Dated 1/23/2009	*	3,498.37	
Coast Hardware	Misc. Hardware - December 2008 - Community Dev.		136.10	
Jacob Jones	Reimbursement for Expenses Incurred - Annual Business Meeting - 12/16/08 - Comm. Dev.		56.71	
L.B. Housing Authority	College Tour for 16 Youths - 4/21-4/25/2008 - Community Dev.		6,400.00	

TOTAL HUD 24,205.79

City of Long Branch Clearing Account	Reimburse Clearing Account	*	26,425.50	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	4,500.00	
City of Long Branch Clearing Account	Reimburse Clearing Account	*	16,922.33	
City of Long Branch Payroll Agency	Unemployment - January 2009	*	1,628.19	
City of Long Branch Payroll Agency	Payroll Dated 1/23/2009	*	428.71	
City of Long Branch Payroll Agency	Payroll Dated 1/23/2009	*	16,493.62	
E M Waterbury & Assoc.	Engineering Services Rendered - August 2008 - Zoning Board		970.00	
Esteban Guzman	Relocation/Moving - Broadway Arts Center - Community Dev.	*	1,750.00	
Greenbaum, Rowe, Smith & Davis	Legal Services Rendered - Pier Village III - July / December 2008		136.50	Pymt #1
Jane & Nancy Realtor Group	Security Deposit/Month Rent - Broadway Arts Center - Community Dev.	*	2,750.00	
Siperstein's	Paint/Materials for Library - December 2008		528.14	
State of NJ - Division of Employer Accts.	Unemployment - First Quarter 2007	*	418.81	
W.B. Mason Co.	Various Office Supplies - UEZ		94.89	

TOTAL TRUST OTHER 73,046.69

* DENOTES PREPAY

** SUBJECT TO COMPLETION OF PAYMENT PACKAGE

R# 48-09

RESOLUTION
2009 EMERGENCY TEMPORARY APPROPRIATIONS

WHEREAS N.J.S.A.40A: 4-20 states that in addition to the temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the fiscal year and the adoption of the budget for said year, and

WHEREAS the amount of such emergency appropriation shall be included under the correct heading in the budget as adopted, and;

WHEREAS there is a need to provide additional funds for City operations, and,

WHEREAS adequate provision for such funding was not made in the temporary budget.

WHEREAS the total emergency temporary resolutions adopted in the year 2008 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A.40A:4-20) including the increase represented by this resolution total .....**$ 4,514,537.94** in addition to the original temporary budget adopted January 1, 2009 in the amount of **$14,309,595.46** for a total Year to Date temporary budget of **$ 18,824,133.40.**

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch (not less than 2/3 affirmatively concurring) that the items of appropriation appearing on the attached list be included in the temporary budget for the City for the year 2009, and that in accordance with the Statute such item of appropriation will be included in the 2009 budget as finally adopted.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Budget Appropriations 2009

	Emergency Temporary Budget Approp. 02/10/2009
Office of Planning	
Miscellaneous-Other Expenses (Redevelopment)	50,000.00
Miscellaneous-Other Expenses (Master Plan)	20,000.00
State of New Jersey Department of Health Public Health Priority Funding Act of 1977	14,994.00
Total Emergency Appropriation	84,994.00

R# 49-09

RESOLUTION
2008 BUDGET APPROPRIATION RESERVE TRANSFERS

WHEREAS N.J.S.A. 40A:4-59 states that, if during the first 3 months of any fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserve over and above the amount deemed necessary to fulfill its purpose, the governing body may, by resolution adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess to an appropriation reserve or an appropriation in the prior budget deemed to be insufficient to fulfill its purpose or for which no reserve was provided.

WHEREAS the Director of Finance has deemed that the appropriation set forth below meet the requirements aforementioned, and recommends that said transfers be made,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Long Branch (not less than 2/3 concurring affirmatively) that the budget transfers appearing on the attached sheet, made a permanent part of this resolution, be, and the same are, hereby approved.

Budget Appropriation Reserves 2008

TRANSFER
02/10/2009

Transfers "To"

Utilities:	
Natural Gas	3,000.00
Total Transfers "To"	3,000.00

Transfers "From"

Division of Street Construction & Maintenance	
Salaries and Wages	3,000.00
Total Transfers "From"	3,000.00